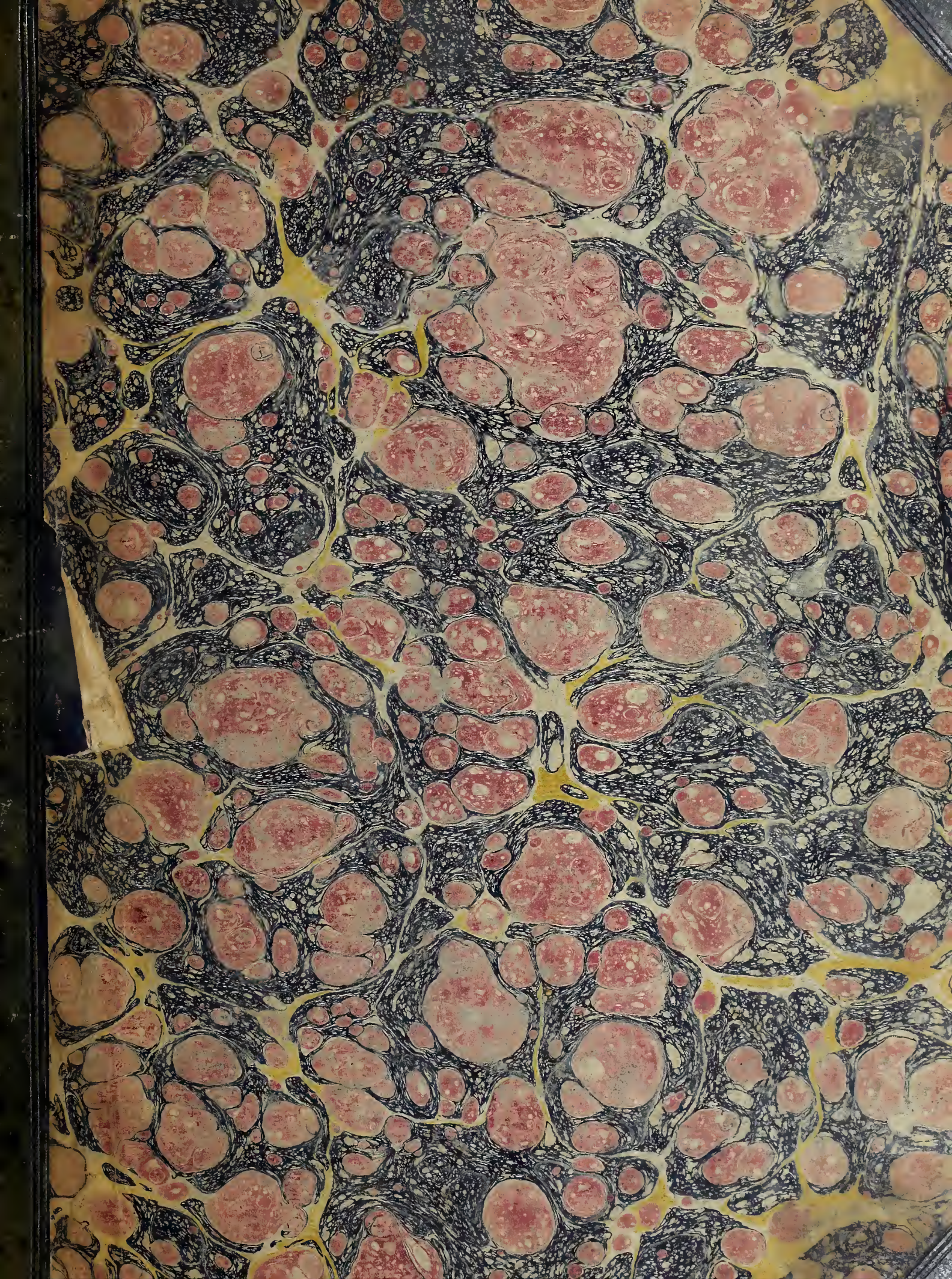




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THE
S O M E R S
COLLECTION OF TRACTS.

THE

PLATE AND VOLUME

TRACTS

OF

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A
COLLECTION
OF
SCARCE AND VALUABLE
TRACTS,

ON THE MOST
INTERESTING AND ENTERTAINING SUBJECTS:

BUT CHIEFLY SUCH AS RELATE TO THE
HISTORY AND CONSTITUTION
OF
THESE KINGDOMS.

SELECTED FROM AN INFINITE NUMBER IN PRINT AND MANUSCRIPT, IN THE ROYAL,
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THAT OF THE LATE LORD SOMERS.

THE SECOND EDITION,
REVISED, AUGMENTED, AND ARRANGED,
BY
WALTER SCOTT, Esq.

VOLUME TWELFTH.

The bent and genius of the age is best known, in a free country, by the pamphlets and papers that come daily out,
as the sense of parties, and sometimes the voice of the nation.

PREFACE TO KENNET'S REGISTER.

Judex qui aliquid statuit, una parte audita tantum et inaudita altera, licet æquum statuerit, haud æquus fuerit.

LD. COOK & JUST. INST.

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1814.

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TRACTS
DURING
THE REIGN OF KING WILLIAM III.

CLASS FOURTH.

MISCELLANEOUS TRACTS CONTINUED.

THE
S O M E R S
COLLECTION OF TRACTS.

KING WILLIAM III.

CLASS FOURTH.

CONTINUATION OF
MISCELLANEOUS TRACTS.

Verdicts of the Learned, concerning Virgil and Homer's Heroic Poems.

Nihil potest placere quod non decet.—QUINTIL.

The following treatise is a sort of compilation of the opinions of Perrault, Fontenelle, Wotton, and others, who, about the end of the seventeenth and beginning of the eighteenth centuries, were advocates of the moderns in the celebrated dispute upon the comparative excellence of ancient and modern learning. The extravagant eulogies that had been heaped upon Homer for the management of a story, which, in fact, is both loose and incomplete, affords a petty triumph to his opponents. But to drive this and other objections, founded upon the simplicity, approaching even to rudeness, of some passages, the length of proposing that the study of the *Iliad* and *Æneid* should be confined to the education of children only, shews that the author had a mind utterly incapable of comprehending the nature and extent of their merits.

PREFACE.

As I profess to say nothing of my own stock, so I have no cause to fear, that I am accountable for the truth of these censures. I think myself accountable only for the faithfulness of the quotations, which I join to each saying. My authors then may

speaking for themselves, without my being engaged to take the part of any, or to maintain their sentiments. So that it is free for each reader in particular, either to become the free censurer of these critics, with as much authority as they have taken to censure Homer and Virgil, or to join with them in their verdicts.

As these judgments of my authors are not uniform, no not in one and the same author, (as it is evident in Rapin himself) it is plain, that in such a variety of opinions some must needs stray both from truth and justice. But this discernment being above my reach, I leave the delight to the reader himself to judge thereof: not but that now and then I give a hint of what I think more or less of their authority.

SECTION I.

The Excellency and Nature of an Heroic Poem, and how to judge well thereof.

If we consider well the main end of an heroic poem, which is to direct persons of quality, it is the noblest and most important work of the mind. If we consider the labour and art about it, it is the most sublime, the most ingenious, and the hardest; nay, beyond it there is nothing richer, or more magnificent, to be found. A man cannot have too much wit to undertake it, nor too long a life to complete it. All sorts of learning must be brought thither in refined abstracts; and the art to make such quintessences is a sort of chymistry known to few. Sublime notions, and magnificent representations, which are not to be found in every stall, are the patterns to be employed there. The wit which an heroic poem requires, ought to be of the first rate of wits, who are among us what the seraphims are among the angels.

It were then to require too much, to have the undertakers of such a long and laborious fabrick to be infallible. Hitherto none have set their hands to it, who stood not in need of pardon for many things. Homer indeed had the honour to work therein without a director and pattern: But it is not granted that he did without fault what he did without model: since he slumbers sometimes according to Horace, *Bonus aliquando dormitat Homerus*. Though Virgil has copied out the best passages; and that the copy is more exact than the original, nevertheless we must acknowledge, that had he been yet more exact, he had stood in need of no apologies; nor had the grammarians put him so often to the rack, to be revenged of the trouble he gives them. So that, notwithstanding all the transcendant eulogiums of Homer and Virgil in the schools, yet is the perfect heroic poet still to be born, as well as the compleat prince, or the perfect captain.

To clear this paradox, we must not consider Homer and Virgil's poems by their superficies, outside, or by pieces, like mere grammarians, as Macrobius, Jul. Scaliger, and Ful. Ursinus have done; but to survey well these great works, we must fathom what they have that's most essential; we must, says Rapin,¹ survey all the proportions thereof, consider whether all the beauties are well placed, whether the probable and wonderful are judiciously observed; whether the poetic licences are not either too strong, or stretched too far; whether all the decorums of good manners and morals are exactly kept; whether the expressions are delicate and passionate; whether all is in its place, and keeps up its due character; whether good sense runs through the whole; and whether all things are as they ought to be. For nothing can please unless so, according to the great principle of Quintilian: *Nihil potest placere quod non decet*. This is what the skilful consider, and not external ornaments, which detain the ignorant.

If the works of Homer and Virgil were lost, I should be very curious to know what

¹ Compar. Hom. Virg. ch. 16.

others had said of them, who had seen them ; but since their works are in our hands, to what purpose trouble we ourselves much about what Plato, Aristotle, Paterculus, Plutarch, Ælian, Bossu, and Thomassin have said of them, they being no poets? Let us then consider them by the true rules of heroic poesy, and judge of their essential parts ourselves.

According to the doctrine of Aristotle, Mambrunus, Rapin, and Ruæus, an heroic poem is an imitation of an illustrious and compleat action, written in long verse, to stir up gentlemen to gallant actions with wonder and delight. This sort of poem comprehends five main and essential things. 1. The action. 2. The fable. 3. The characters. 4. The sentiments. 5. The expression.

The action is the matter and subject of the poem. The fable is the form and contrivance of that action. The characters are the main end and drift of the poem. The sentiments and the expression are necessary ornaments. The poet takes the action from the hero, the fable from the rules of art, the characters from moral philosophy, the sentiments from logic and good sense, the expression from grammar and rhetoric.

SECTION II.

The Matter or Action of Homer and Virgil's Poems.

RULE I.

The matter of an heroic poem is the subject which the poet undertakes, and proposes to himself to work upon. Now according to Aristotle, Rapin, and Bossu, this action ought to have these four conditions. To be one, complete, illustrious, and not exceeding the length of a year. 1. One, that is chiefly performed, and in one continued space of time, without a perfect intermission ; and, moreover, such as cannot be divided into other whole and compleat actions. 2. Illustrious, and consequently of eminent men, and in some famous and important matter too, *res gestæ, regumque, ducumque*. 3. Compleat, to which nothing is wanting of all things that may bring it to the end. 4. Of certain length, not exceeding the space of a year, from the time where the poet begins.

Homer's Action compared with the Rule.

Whether the main action of the Iliads consists in the war of Troy, as some pretend with Horace, or whether in the anger of Achilles, as others with Bossu will have it, because the death of Hector ends not the war, since the siege of Troy lasted a year after, it is plainly defective, in that it is liable to be thus controverted. According to Bossu it is no action at all, but a passion, and a very unjust one too, far from being illustrious ; or, if it is an action, Homer himself owns, that it was prejudicial both to his own country and party. The action ought to have a beginning, a middle, and an end, says Aristotle. But though this anger of Achilles has a beginning, yet it has neither end nor middle, says Rapin ; for it is discarded (adds the same author) by another anger of Achilles against Hector, for the death of Patroclus : So that there are two angers, the one for the loss of his friend, the other for the loss of his mistress ; and what is worst of all, the rest of the poem has no connection with this anger. Homer not minding it in the space of eighteen books, as if he had forgot his own design.

The action of the Odyssey, (continues Rapin, *Comp. Hom. et Virg.* chap. 6.) is not more perfect, than that of the Ilias. It begins by the voyages of Telemachus, and ends by those of Ulysses. This makes Paul Beno to say, that the fable of the Odys-

sea is double. In reality, concludes Rapin, one knows not what to make of the first four books. *A la bien prendre, on ne sçait ce que c'est.* So that neither of the actions are one, complete, or illustrious.

Virgil's Action compared with the Rule.

Though it is granted by all, that the action of the *Æneis* was equal to the greatness and magnificence of the Roman empire, yet is it vicious, and mangled, in the condition we have it, says Mambrunus, who has writ both an heroic poem on Constantine in twelve books, and a large treatise of heroic poesy. And indeed, as to the unity of Virgil's action, good father Bossu confesses ingenuously, that it is easier to tell wherein the unity of the epic action consists not, than to say in what it consists. *Du Poem Epic.* book 2. chap. 7. For some place the action in the voyage of *Æneas*, in imitation of the *Odyssey*, others in the war of Italy, in imitation of the *Ilias*.

As to the compleatness of the action, both the Scaligers, and after them Perrault, *Paral. des Anciens et Modern*, 2 vol. hold, that Virgil's action is not compleat nor finished; and all the ancients held, adds Joseph Scaliger, that Virgil intended twenty-four books, in imitation of Homer. But being prevented by death, he therefore ordered his *Æneis* to be burnt, (*ibit ad ignes*) knowing it to be but a piece of a great work, unfinished, as the unfinished verses also demonstrate. This made Mapheus Vegio add a thirteenth book to the *Æneis*.

I cannot endure, says Perrault (in the fore-mentioned place) that Virgil's *Æneis* should end at the death of Turnus. It is true, that by his death, and that of Amata, great obstacles are removed, yet is not *Æneas* settled king of the Latins. The reader cannot be fully satisfied to behold the affairs of *Æneas* at a stand in so fair a progress. He wants to see him marry Lavinia, and by that means take possession of the kingdom of the Latins, without which one may justly question whether it ever came to pass. This marriage would only have compleated what is but yet begun; it had settled the foundation of the Roman empire, which is the main action of the poem. Thus then, though Virgil's *Æneis* has a beginning and a middle, yet wants it still an end, to compleat the action.

SECTION III.

The Form and Contrivance of Virgil and Homer's Fable.

RULE II.

The fable, according to Aristotle, is the chief thing in an heroic poem, is the soul and foundation thereof, is the principle which gives, as it were, life, and moves all the springs of that engine. This fable and contrivance consists chiefly in three points. 1. In the orderly narration of the chief action, and of all the materials that make it up: And this order is two-fold, natural or artificial, beginning by the middle. 2. In the exact proportion of the probable and wonderful, whereof the first makes it worthy of belief, and the next of admiration. 3. In the marshalling and coherence of the episodes, or by-histories, with the chief action.

Homer's Fable compared with the Rule.

1. Though Halicarnasseus, *Opusc. Critic.* commends Homer chiefly for his fable, yet, says Rapin, (*Comparis.* ch. 6.) Homer manages so little the probable, and stretches so

far the wonderful, out of too great a desire to raise always admiration, that he leaves nothing to be done, neither by reason, nor passion, no nor by nature, but all is done by machines. The gods are employed upon all occasions, without the least regard either to their rank, or to the peace and tranquillity of their condition, *per ambages deorumque ministeria. Stat.*

If Priamus has lost Hector, Jove must needs send the goddess Iris his messenger, to admonish him to take care of the corpse of his son, and to redeem it from Achilles. This father, so tender of his son, could not he think of it himself, but must have a machine to put him in mind that he is a father? Mercury becomes Priamus's coachman, to bring him to Achilles, to desire the body of his son. And to prevent the danger of stragglers coming to the camp of the Greeks, Mercury casts them all asleep, and prepares the heart of Achilles by some feelings of compassion; nay Thetis, Achilles's mother, works upon him also, by the order of Jove. Thus Homer disposes of the gods as of so many personages of the stage.

2. As to the mixture of episodes with the chief action, they are forced and unnatural. Homer begins his *Odyssey*, which is his best poem, says Rapin again, by an episode of four books. He strays from his matter, almost before he is entered into it; and to make a regular building, he begins by a piece out of the work. *On ne sçait ce que c'est*, says Rapin.

3. What relation has the wound which Diomedes gave to Mars, to the anger of Achilles? Homer enlarges much on this adventure in the fifth book of his *Ilias*. Mars, who weeps like a child, comes and makes his complaint to Jove, who smartly jeers him. Yet Pæon, the doctor of the gods, is called to cure him, and the poet, who likes this passage, stretches it too far. He trifles thereupon, and one would pity him, but that we are prepossessed with the greatness of his genius.

Homer's comparisons are cold and forced, but never excellent, says Perrault. Was there ever any thing so ridiculous as to compare Ajax in the midst of a bloody battle, to an ass grazing in corn? And his descriptions are both too frequent and too long.

Virgil's Fable compared with the Rule.

Though Monsieur Segrais, in his preface to the *Æneis*, maintains that the prime beauty of that poem consists in the wonderful narration, nevertheless Perrault boldly speaks thus: [Parallel of Ancient and Modern.] I believe that all men of sense, and that are impartial, will think with me, That the adventure of the wooden horse in the second book *instar montis equum*, is the most childish part of all the *Æneis*. What! a city which had withstood all the arts of Greece for the space of ten years, lets herself be taken in one night by a stalking horse! Virgil understood ill, it seems, the temper of Ulysses, to think he would shut himself up in that engine; he was too crafty to do it: And this old rook, whose wiles are so cried up by antiquity, had better devices how to take cities. Yet, if we believe Virgil, Queen Dido was charmed with the story of the wooden horse, and so might any cook-maid with the boys and pedants in the schools; but never can prove either probable or wonderful to any man of sense.

2. Peletier, in his *Poetic Art*, says, That there are in Virgil's *Æneis* a great number of faults against probability, and most of them needless too, where he has placed them. What more improbable than the golden bough in the sixth of the *Æneis*?

————— *Latet arbore opaca*
Aureus, et foliis et lento vimine ramus.

What again more incredible than the twigs that sprang out of Polydorus, in the third book?

*Forte fuit juxta tumulus, quo cornea summa
Virgulta, &c.*

Are Don Quixote's windmills (turned into giants in his brain) more ridiculous and childish, than the metamorphosing of Æneas's ship and the whole fleet into sea-nymphs, in the ninth book?

————— *Hinc Virgineæ* —————
*Redduntur totidem facies pontoque feruntur,
Quæ prius æratæ steterant ad littora proræ.*

3. But, says again Perrault in his Parallel, how comes Neptune to threaten so severely the poor harmless wind Zephyrus, for the storm in the first book?

*Eurum ad se Zephyrumque vocat, &c.
Quos ego, &c.*

What share had he in that tempest? He that has not the force to beat down a tulip, how could he swell up the sea? He is the ladies favourite, and scarce can ruffle a towering commode.

4. As to Virgil's episodes, father Rapin, in his Reflections on Poesy, finds fault with the excessive length of the episode about the taking of Troy, which contains two whole books, the second and third of the poem, scarce pardonable, says he, because they hold out a whole night. I question not but good Queen Dido yawned often all the time, at the story of Æneas's adventures; and that's an observation, adds Perrault, which Virgil's commentators have passed by in silence.

But all authors have observed two considerable faults of achronism and slander in that episode of Dido in the fourth book. By the first of false chronology, he makes that princess elder by three hundred years than in reality she was. By the other of scandal, he has disgraced the most discreet and virtuous princess of her age, as all historians, poets, and fathers agree; witness this epigram of Ausonius in Scaliger.

*Invida cur in me stimulasti Musa Maronem,
Fingeret ut in me damna pudicitie, &c.*

And thus has entirely ruined her reputation in the mind of all posterity. This is both a base and unpardonable fault in Virgil, to raise the glory of the Romans, by ruining the good name of a woman, the ornament of her sex; because, forsooth, she was the foundress of an hostile city.

SECT. IV.

Homer and Virgil's Characters of their Heroes, which is the End of Epic Poesy.

RULE III.

The end of heroic poesy being to give instructions by examples to persons of quality, the characters of virtues and vices must be carefully drawn; the characters of virtues, wisdom, courage, piety, temperance, patience, &c. to embrace them; and the characters of vices, atheism, anger, drunkenness, gaming, lust, &c. to avoid them. As then

heroic virtue (according to Aristotle in his Ethics) is made up of all virtues, so the character of an hero must be made up of three virtues at least, says Bossu. The first makes up his characteristical and constant virtue; as piety in Æneas, and prudence in Ulysses, to distinguish them plainly and at first sight from the other heroes. The secondary virtues are only ornamental, as friendship in Achilles. The third is valour, which is necessary and common to all heroes.

Homer's Characters compared with the Rule.

Though Horace thinks Homer fitter to teach morals to mankind than the philosophers of old,

*Quicquid sit pulchrum, quid turpe, quid utile, quid non,
Pleniùs et meliùs Chrysippo et Crantore dicit.*

And though *Ger. Jo. Vossius de Nat. Poetic. cap. 9.* is of the same mind, yet Rapin, who seems to have examined better Homer's good and bad qualities, both in his Reflections on Poesy, and his Comparison of Homer and Virgil, pretends that Homer has not kept the characters of his heroes, nor their manners, in a due decorum. And indeed, Homer, adds he, represents to us hard and cruel fathers, weak and passionate heroes, he might have added clownish and butcherly ones; wretched, restless, quarrelsome gods, who cannot endure each other.

Aristotle, in his Poetic Art, wills that the images and characters which the poet makes, represent persons not such as they really are, but such as they ought to be, yet the character of Achilles, the chief hero, seems ill drawn. For, as Horace observes, though Achilles is valiant, yet is he choleric, fierce, violent, unjust, he slights the laws, and puts all his reason in the sword he bears by his side.

*Impiger, iracundus, inexorabilis, acer,
Jura negat sibi nata, nihil non arrogat armis.*

Moreover he is cruel to the corpse of Hector, even to delight in revenge over it, and by an avarice without example, sells to an afflicted father the body of his son. Finally, this hero of Homer, of so great a name, and so cried up in all ages, is an abstract of imperfections and defaults, *ce heros est un abrege d'imperfections et de defaults*, says Rapin, Parallel of Hom. and Virg. c. 4. Tully himself speaks against Achilles's inhuman dealing with the corpse of Hector, *Trahit Hectorem ad currum religatum Achilles, lacerari eum et sentire, credo, putat et ulciscitur, ut sibi videtur.* Orat. Tusc. lib. i. What again can be more unworthy of a hero, than Achilles's zeal against the flies about the wounds of Patroclus his friend? Lib. xix. Iliad.

I speak not of the other heroes of the Iliad, where kings and princes do one another all sort of base injuries like porters, where Achilles calls King Agamemnon drunken sot and impudent dog's-face. 'Tis not possible that chief officers were so brutish as to do so; or if that happened, they are manners too indecent to be put into an heroic poem, where things ought to be placed, for the instruction of young gentlemen. Yet, to hear with what respect good father Bossu speaks of the Iliads, one would think he made a commentary on holy scripture.

I pass to the Odyssey, says Perrault in his Parallel, where Ulysses is such a medley of prudence and knavery, of heroic and meanness, that 'tis almost impossible to define it well. This prince, whom Homer sets forth as a pattern of wisdom, lets himself be made drunk by the Pheacians, for which the poet is blamed both by Aristotle and Philostratus. But what extravagance in this perfectly wise man, to forget so soon his

wife, so virtuous a princess, and his son who was so dear to him, to stay so long with Calypso, a jilt, and run after Circe, the famous sorceress? Had then Homer drawn well Ulysses's character, we need not be at a stand to know whether he was an honest man or a knave.

2. As to the characters of Homer's gods, this poet attributes to them criminal actions, whereof none are capable but the most wicked amongst men, says Plato in lib. ii. and iii. *de Legibus*. Tully also blames Homer for giving to gods the imperfections of men, wishing rather that he had given to men some of the excellent qualifications of the gods, *Humana ad Deos transferebat, Divina mallet ad nos*.

Virgil's Characters compared with the Rule.

The main and constant character of Æneas being piety, says Bossu: What had that piety of father Æneas to do in the cave with Dido Queen of Carthage? says Perrault [Parallel of Ancient and Modern]. A very homely room to court a lady in. Nay, his pretended piety at every turn may be stiled superstition, and he rather pass for the founder of a religious order, than of the Roman empire. 2. Æneas's secondary sort of ornamental qualifications are tears and pity; but who is able to endure his briny tears at every moment, nay twice or thrice in the same page, and again four times in a dozen lines, especially in the first, sixth, and eleventh books: He weeps at the sight of pictures which represent the adventures of the siege of Troy.

1. Book. { *Constitit et lacrymans* —
 { *Sunt lacrymæ rerum* —
 { *Agnoscit lacrymans* —

And not only his eyes water, and shed some drops of tears, as the love of his country may draw from a native, but he is all in a bath of tears, attended with heavy sighs and groans:

Multa gemens, largoque humectat flumine vultum.

This continual blubbering on the same account, is not proper to the sorrow of that nature. He weeps at the parting, *lacrymans commendat Acestes*, and at the drowning of Palinurus his pilot; nay Virgil begins his sixth book with his hero's weeping: *Sic fatur lacrymans*, when he sees Dido in hell, as also for his wife Creusa, and likewise for Prince Pallas.

2. Book. { *Lacrymis ita fatur abortis.*
 { *Hæc ubi deflevit.*
 { *Spargitur et tellus lacrymis, sparguntur et arma.*

And upon sundry other occasions, where such excessive tenderness becomes not either a hero or his army. There never was, as I think, such a weeping, blubbering, sighing, groaning, nay bawling hero in all history. *Implevi clamore vias*, says he of himself.

But what is yet more intolerable in a hero, are Æneas's frequent frights and fears, tremblings, and cold sweats, upon all sudden and unexpected accidents. At the very first beginning we find him seized with a great fright in a storm at sea, wherein he shakes for fear.

Extemplo Æneæ solvuntur frigore membra.
Ingemuit, —

In the second and third books he is frightened with spirits, at the vision of which he says of himself,

*Tum vero ancipiti mentem formidine pressus
Obstupui, steteruntque comæ, et vox faucibus hæsit.*
—— *Mihi frigidus horror*
Membra quatit gelidusque coit formidine sanguis.
Tum gelidus toto manabat corpore sudor.

Another but Virgil would have given courage to his hero, would have made him bold and undaunted at the fury of the winds; and whilst vulgar souls are dejected, he should have shewed courage above all dangers; nevertheless the poet exposes to the sight of the Trojans an hero half dead for fear. These tears and frights might be excusable in his son Ascanius, because a child, but Æneas must not be so childish. No, this aptness to start and tremble upon all occasions, seems not heroic, nor to become the founder of the Roman empire, and the father of all the Cæsars.

And as for the courage of Æneas, it may be also justly questioned, from his way of closing the main action of the poem: I mean his fighting with, and killing Turnus. Nor is the valour of Turnus more evident: For, when Turnus saw all the eyes of the Latins bent upon him, to decide the war by a duel with Æneas, he bravely answers their expectation at first, saying,

—— *Hac Dardanium dextrâ sub Tartara mittam.*
—— *Nostro dirimatur sanguine bellum.*

But when, the next day, they came to agree upon the conditions of the fight, how altered is Turnus already! He is dejected both in mind and body, his eyes are sunk into his head, and his countenance is pale:

Incessu tacito progressus—demisso lumine Turnus,
Tabentesque genæ, et juvenili in corpore pallor.

So that he caused the Latins to pity him:

—— *Turni sortem miserantur iniquam.*

Though it is not Virgil's business to commend much Turnus, yet ought he to look to the credit of his hero, who can reap no honour, by fighting with such a cowardly adversary. But let us see further.

In the fight the sword of Turnus breaks:

—— *perfidus ensis*
Frangitur. ———

Then Turnus runs away, and Æneas follows him. Turnus calls for a better sword, but Æneas threatens death to any that shall bring one:

Æneas mortem minatur.

Neither of them act like heroes, but both cowardly; and Æneas the more basely of the two, because armed cap-a-pee; nevertheless Turnus gets an heavenly sword at last. Now

who will not expect some gallant action done with it by this king of the Rutilians? and what can that atchievement possibly be? Why truly, as if void of all sense and understanding, says Ræus: *Bonæ, rectæque mentis expertem*, he fairly puts up this miraculous sword, and takes up a huge, huge land-mark stone, which twelve other strong men were not able to lift up:

————— *Saxum circumspicit ingens,*
Saxum antiquum ingens, ———
Limes agro positus, —————
Vix illud lecti bis sex cervice subirent.

Turnus dares not fight Æneas hand to hand, but assaults him at a distance.

But Æneas easily declining the unwieldy stone, runs Turnus into the thigh, who falling down disarmed, begged quarter; yet Æneas kills him, though he conjures Æneas to grant him life, by the very ghost of his father Anchises:

————— *Miseri te si qua parentis*
Tangere cura potest, oro, Dauni misere senectæ.

Though he owns him to be victorious, and resigns up to him Lavinia for wife, *Vicisti, tua est Lavinia conjux*, but all entreaties are vain to a cowardly adversary. I know that the death of Turnus is necessary to complete the action, in case Virgil intended to close at the death of Turnus, which many deny. But then he should have brought it so about as not to destroy the character which he had given to Æneas.

Here Virgil shews great want of judgment both in the characters of his two chief heroes, as well as in the close of the main action. A judicious heroic poet would rather have made Æneas lightly armed, and yet have triumphed over his adversary, armed cap-a-pee. What a pretty thing it is to see Æneas pursue Turnus, who runs away as a child, at the apprehension of a spirit; nay, threatens to kill any that shall help Turnus to a sword; thus waving to fight with an armed man, when he himself is clad with an armour wrought by Vulcan; thus he declares for a victory obtained not by valour, but by chance and advantage. I thought one could not oppose to heroes, enemies too dreadful; and I have ever heard, that nought but an obstinate fight could gain a glorious victory. On the other side, why does Virgil make Turnus throw such a huge vast stone? was he to fell giants? had he the terror of the world to fight against? For Turnus, it seems, is but a pigmy before Hercules.

II. As to the characters of Virgil's gods called heavenly machines; what a preposterous personage Virgil makes Juno act all along the poem; but especially in the first book. She has heard, *audierat*, pretends Virgil, (as if she knew not but by hearsay,) that Æneas was to settle in Italy, and there found an empire, which should destroy her dearly beloved Carthage, *Tyrias olim quæ everteret arces*: To prevent this, she, with godlike charity, resolves to destroy the Trojans, saying to Eolus,

————— *submersas obrue puppes,*
 ————— *Et disjice corpora ponto.*

Is it possible the gods can be so angry? And, indeed, do not you think that Juno grows a little too hot?

I ever thought nothing impossible to the gods; but it pleased not the poet to give her either power or credit, but only much passion and malice to destroy distressed persons, if she can. What a preposterous sight to behold the wife of Jove in a petitioning condition to Eolus, and so apprehensive of a denial, that she proffers him one of her

fairest nymphs Deiopeia for a reward. What would not a god do for such a dainty piece of beauty! Whereupon the Trojan fleet had unavoidably perished, had not the god Neptune peeped out of the pool, and left Juno vexed with shame; so little correspondence is there between Virgil's gods.

Again, continues Perrault, is it a thing proper for Venus, to entreat her husband Vulcan to make an armour for Æneas her bastard by Anchises? To my thinking it is a very impudent petition. Her infidelity to her husband seems something less offensive, than the impudence of this suit.

The close of the main action of the Æneis ends also by a machine, which utterly eclipses all the glory thereof, and therefore forbid by Aristotle. For, whilst Turnus and Æneas are fighting, Jove sends down such an horrid Fury, that she was able to fright not only a man, but even whole cities, *totas territat urbes*. Now this cursed Fury flew to and fro before the eyes of Turnus, and flapped so hard his shield with her wings, that sudden fear seized on the young prince:

Arrectæque horrore comæ, et vox faucibus hæsit.

Which made Turnus reply thus to Æneas, who basely insulted over him:

————— *Non me tua fervida terrent
Dicta, feror: Dii me terrent, et Jupiter hostis.*

So that King Turnus is rather frightened out of his wits, and overcome by Jove himself, than conquered by Æneas.

Could not Æneas, the main hero of the poem, fight with Turnus alone? Man to man, king to king, hero to hero! *Ne Hercules quidem contra duos*; much less than young Turnus, against the Thundering God, an horrid ghastly Fury, and a conquering Hero. Thus is the pretended main action spoiled in sundry respects.

SECT. V.

Homer and Virgil's Sentiments in their Poems.

RULE IV.

Heroic sentiments consist in giving to each person such speeches, actions, manners, and affections, as are proper to their age, condition, and other circumstances. They must be, 1. True and exact; for truth is the very soul of the thought or sentiment. 2. Noble, sublime, and strong, to raise admiration. 3. Pleasing, which springs from agreeable objects. 4. Plain from all obscurity.

Homer's Sentiments compared to the Rule.

Though, both Longinus in his Treatise of Sublime, and Rapin in his Compar. of Hom. and Virg. c. 12. agree, That Homer is always noble in his sentiments as well as in his expression; yet, as if the latter had forgot himself, he said before, chap. 8, That Homer's sentiments are never so beautiful as his discourses; because he minded not so much to think well as to speak well. One cannot deny but that his personages speak well; yet, for the most part, their sentiments are unworthy of their characters. Thus,

In the ninth book of the Iliads, Agamemnon complaining to Nestor about the ab-

sence of Achilles, Nestor tells him, that he will give him incomparable good counsel, and that never any man since the world stood gave so wise and excellent. But a man so wise ought to be more modest: Yet the counsel he gives, adds Rabin, is no great matter; since it amounts only to pacify Achilles, to make him satisfaction, and so get him to return to the camp; which any ordinary capacity might have said.

Again, continueth he same critic, Antilochus, Nestor's son, in the twenty-third book of the Iliads, speaks seriously to his horses, has a formal discourse with them, and conjures them to do their utmost to overcome Menelaus and Diomedes in the course, and races run, for the death of Patroclus.

Because, says this trifling orator, his father will either sell them, or cut their throats, if they do otherwise.

Perrault, Parallele Compar. of Hom. and Virg. tom. ii. relates abundance of ridiculous and comical sentiments, wherewith old Homer has stuffed his two poems. Thus our celebrated poet says in the first of his Iliads, that when it thunders, Jove beats his dame; as when it rains and the sun shines at once, children say, The devil beats his. This seems little worthy either of the god or the poet.

In the fourth book, a shepherd comparing the beauty of his mistress, says, She is like to the flowers of a meadow, which feed cows very fat, which give milk very white, whereof they make excellent cheeses.

Homer compares Ulysses turning in his bed, and not being able to sleep, to a gut-pudding, or sausage, broiling on a gridiron. Is this worthy of the florid, copious, majestic, nay, divine Homer?

In the fourth book, our great poet, telling how Menelaus was wounded in his white thigh, says, 'The black blood came out of his wound, as when a Meonian or Carian woman dyes ivory into purple, to make bosses or studs to bridles of horses. This ivory is in her chamber, and several knights would gladly have it; but they keep for the king this ornament, which is honourable both for the horse and the rider.' The beginning of this comparison is true and excellent; for nothing resembles better to blood on a fair skin than purple on ivory: But all the rest is mere stuff and nonsense. Methinks this comparison is made up of three or four colours; and when, indeed, I know not where I am, nor how I find myself with these bosses, kings, and knights in a Meonian woman's closet, by the occasion of a wounded man's thigh.

Odyssea, Lib. iii. Prince Telemachus, having put on his fine shoes, he calls his council, wherein he represents to them, that the suitors of his mother eat up his fat oxen, sheep, and goats; that he valued it not, if such as they of his council eat them; because he knew they would pay him well, which is not to be expected from such gallants; and all this he says weeping. What meanness, what poverty, both in the poet and the prince he speaks of!

But the whole sixth book of the *Odyssea* is a dainty dish of mirth, from one end to the other; where the Princess Nausica, daughter to King Alcinous, goes to the river to wash and buck the cloaths, both of her father and three brothers, alledging that the king should have clean linen at least when he went to council. Ulysses, awakened at the noise of these laundresses, came naked to Nausica, holding also a leafy bough before him to hide his nakedness. And thus they both went on talking together to the king's palace, where they found the queen sitting on the ground in the chimney corner, and spinning by the light of the fire. There was also King Alcinous sitting in his chair, like a god that sets himself to drink, says Homer. Then the king asked Ulysses what his name was, for every one has a name, adds gravely that prince; and during that supper, he made a long discourse to Ulysses, wherein I will suppose there is sense, yet I see none. But Ulysses desired the king to let him eat his victuals quietly, for he was indeed hungry, not being a god, said he. Yet was Ulysses better bred than to eat up all, but nobly carved a rasher of bacon, and gave it to the piper behind

him. When we are past twelve years of age, can one delight in such tales of ridiculous heroes, like, or more clownish than our common farmers? 'Twere an endless business to reckon up all.

Virgil's Sentiments compared with the Rule.

Though Virgil is not liable to so many weaknesses in this point as Homer, yet he forgets himself sometimes, and falls now and then from his usual heroic gravity. What think you of this observation which Ascanius makes in eating his luncheon of bread, on which was his meat: Ah! we have eat up our tables. *Book vii. v. 116.*

Heus! etiam mensas consumimus, inquit Iulus.

By which oracle Æneas knew they were at the end of their trouble. Is this discovery grave enough for a poem as lofty as is the Æneis? Neither can the father forbear from shewing his approbation of this his son's unriddling so well the harpy Celeno's prophecy in the third book, of eating their tables:

*Ibitis Italiam ———
Sed non ante datam cingetis mœnibus urbem,
Quam vos dira fames ———
Ambesas subigat malis absumere mensas. 257.*

I know the ancient auguries were held as very serious things by the heathens: But methinks the resolving thus the difficulty is little so.

2. But nothing betrays more either the meanness of Virgil's sentiments, or the barrenness of his invention, than the sneaking arrival of the Trojans at Carthage, in the first book, whether of Æneas himself, or of his other chief officers, Antheus, Sergestus, Cleanthus, or the great Ilioneus, who all came in begging addresses to Queen Dido;

Troes te miseri oramus ——— propius res aspice nostras.

Protesting that they landed not to prey in her country in an hostile manner as pirates; because, say they, our pride and courage are quite dejected:

Non ea vis animo, nec tanta superbia victis.

A poet of more generous sentiments, would rather have brought them (with flying colours) to Carthage, by making them accidentally necessary to that queen, at their landing; either by rescuing her from the ravishing hands of King Iarbas, a neighbouring prince, whom she had often baffled in his pretensions, or from the danger of some furious lion (frequent in those parts) as she is taking the air; or any other nobler way, to engage Queen Dido's kindness to them.

But if these shipwrecked banditti came sneakingly to Carthage, they go from it as unthankfully. Queen Dido, out of a royal generosity, opens to them her ports, admits Æneas into her palace, repairs his ships, and heaps upon him all sorts of benefits. But, when the perfidious Trojan is recruited, his fleet fitted up, and had got from this generous princess what he could, then he basely forsakes her; and, under pretence of a vision, he tells her, 'tis by the will of the gods that he departs.

—— *Interpres divum* ——
—— *celeris mandata per auras.*
Detulit. ——

A gallant man would not have believed so lightly on the truth of an apparition.

Scarce had Mercury ended his message, but he takes leave of the queen. I know, says he, great princess, how much I am beholden to you, and it shall never escape my memory; and were not I forced to obey the gods who call me to Italy, if I could dispose of my ownself—What think you he would do? admire how well he plays the gallant; doubtless stay at Carthage, and live with Dido; but no such thing: I would go, adds he, to repair the ruins of Troy, and restore the throne of Priamus:

*Urbem Trojanam primum, dulcesque meorum
Reliquias colerem, Priami, &c.——*

Was there ever such a cold parting from a mistress since the days of Virgil? Did ever any man of wit express such flat sentiments on such a tender occasion?

3. May we not also reckon among Virgil's sentiments, the moral reflection of Mezentius to his horse Rhæbe? O Rhæbe! we have lived long, if any thing can be said to be long-lived to mortal men.

*Rhæbe diu, res si qua diu mortalibus ulla est,
Viximus. ——*

The sentence is both good and moral, but I know not why King Mezentius makes it to his horse as to a rational creature. 'Tis good doctrine lost, unless this horse was descended in a direct line from Pegasus, and had more reason than others.

4. What a swelling vanity does Virgil put into the mouth of Æneas, when being near Carthage, and asked who he was, he most ridiculously answers,

Sum pius Æneas, famâ super æthera notus.

This is not becoming in his own mouth, no more than what he said to Lausus: Comfort yourself in your misfortune; you die by the hand of great Æneas. *Æneæ magni dextrâ cadis*. Such proud sentiments of himself, mixt with his bigotry, are beyond any we can make.

5. I insist not on his comparing the beauty of Ascanius to a piece of ivory set in box; nor a queen angry, to a top which children whip in a porch; with some few pedantic notes and conceits of wit.

Num capti potuere capi? num incensa cremavit?

SECT. VI.

Homer and Virgil's Style and Expression.

RULE V.

Heroic expression, which is the manner of setting forth noble sentiments, ought to have these conditions: 1. To be proper and pure. 2. Plain and clear. 3. Splendid and lofty. 4. Numerous and sounding. To which may be added a fifth, To discern exactly what ought to be said figuratively, and what plainly.

Homer's Expression compared with the Rule.

In this part it is, where all agree, that Homer triumphs. Rapin observes well, Compar. of Hom. and Virg. chap. 9. that most of the ancients who have given such praises to Homer, minded only the elegancy of his expression; and that it is by the wonderful talent in the Greek tongue, that Homer charmed all antiquity and the learned in all ages; especially in the occasions where he goes about to exhort, persuade, or to comfort. Yet is not this poet altogether free neither, adds Rapin, ch. 10. from some small faults in this point, arising from human frailty, or a pardonable negligence in his transitions and epithets.

—non ego paucis
Offendor maculis, quas aut incuria fudit,
Aut humana parum cavit natura.

His transitions, which by their character ought to be much varied, to prevent loathing, are all alike in the most part of his work; one cannot reckon up above twenty or thirty sorts at most, in the space of near thirty thousand verses. His epithets and adverbs make up one of his greatest beauties; yet are many of them useless and general; as well as his sundry dialects, to lengthen and shorten the syllables of his verses, which would prove a thing very impertinent in English.

Virgil's Expression compared with the Rule.

Though Monsieur Segrais, in his preface to Virgil translated, number xiv. pretends that Virgil's expression is magnificent, even, and pure, to such a degree, that no other ever attained to; though Rapin also pretends that Virgil's words are things, Compar. Hom. and Virg. chap. 13 and 11. yet Victorius, the chief critic of Italy, in his Comment on Aristotle, and Blazac in his *Oeuvres Diverses*, both accuse Virgil of mistaking words the one for the other, and to be less pure and Latin than Lucretius.

If it be true that obscurity is the greatest of all faults in matter of style, I know not how Virgil can be excused, or pass for a writer in hundreds of passages in his *Æneis*. For instance, did any one yet ever understand what Virgil means, at the latter end of the sixth book, by these following verses?

*Sunt gemini somni portæ: quarum altera fertur
Cornea, quâ veris facilis datur exitus umbris:
Alterâ, candenti perfecta nitens elephanto;
Sed falsa ad cælum mittunt insomnia manes.
His ubi tum natum Anchises unaque sibyllam.
Prosequitur dictis, portaque emittit eburna.*

Either this is nonsense, or it signifies that all what Æneas saw in hell is but a mere falseyng dream. One would think that, having taken pains to shew what should be the glorious posterity of Æneas, he intended now to destroy the belief thereof.

Clarity being the first virtue of eloquence, *Prima est eloquentiæ virtus perspicuitas*, Quint. lib. ii. cap. 3. good sense requires that we think always clearly, and express ourselves the same, else the sublime, wonderful, and pleasingness signifies but little, or rather nothing pleases that is not understood, and where we are in a continual fog, mist, and darkness. I question much whether those we understand not, understand themselves, if they were compelled to explain their meaning, as the famous Lopé de

Vega ingenuously owned to Camus Bishop of Bellay, that he understood not himself one of his own sonnets.

Brevity, says Horace, is a great occasion of obscurity. *Dum brevis sum obscurus fio.* It often happens, that with binding up things too close, we choke or stifle them, as we may say. So that a thought is obscure, when not enlarged out so far as it ought; as in a geographical map, where the towns, rivers, and hills are crowded together. This I judge to be the frequent occasion of Virgil's frequent obscurity. For most critics look on Virgil with our excellent Mr Dryden, "as a succinct, and grave, majestic writer; one who—was still aiming to crowd his sense into as narrow a compass as possibly he could. For which reason he is so figurative, that he requires (I may almost say) a grammar apart to construe him. Virgil therefore (adds he) being so very sparing of his words,—and leaving so much to be imagined by the reader,—is much the closest of any Roman poet." Again, "Virgil studying brevity, — some have called him the torture of grammarians." Dryden's preface to the second part of the Miscellanies. Add to this plain, though indirect confession of Virgil's obscurity, Ruæus's translation of all his works into Latin plain prose, for a more general assistance against the said obscurity.

Methinks the words of spits, kettles, pans, garbage, and grease, are very mean, yet are they as frequent in the *Æneis* as in our kitchens.

*Tergora diripiunt costis, et viscera nudant,
Pars in frusta secant, verubusque trementia figunt.
Littore athena locant alii.*

Lib. i.

Subjiciunt verubus prunas, et viscera torrent.

Lib. v.

——— *pingues spatiat ad aras.*

Lib. iv.

*Pingue superque oleum fundens ardentibus extis,
Pars calidos lutices, et athena undantia flammis.*

Here is enough to turn a squeamish reader's stomach. But good father Bossu tells us, that such kitchen-stuff expressions are savoury to the Holy Ghost. *Tout cela étoit au goust du S. esprit même, qui n'a pu l'avoir mauvais. Tra. du Poem Epic. l. 6. ch. 8.*

Though it is allowable to stretch the hyperbole beyond the bounds of truth, yet ought it not to pass those of probability, as Virgil does in describing the nimbleness of Camilla.

*Illa, vel intactæ segetis per summa volaret
Gramina: nec teneras cursu læsisset aristas:
Vel mare per medium, fluctu suspensa tumentis,
Ferret iter; celeres nec lingeret æquore plantas.*

I question much whether in an heroic poem, one may make a princess run over ears of corn, without bending them; over the waves of the sea without wetting the sole of her foot.

Again, our laureat poet tells us that Marcellus was so valiant that none could withstand him, whether he fought on foot, or whether he pricked the shoulders of his horse with his spurs.

——— *foderet calcaribus armos.*

'Tis unsufferable that, to make an harmonious verse, a poet shall say, that a gentleman spurred the shoulders of his horse instead of his sides.

Some accuse Virgil, and with truth, of repeating over not only the same things, but the very same verses also, as these before quoted.

Obstupui steteruntque comæ, et vox faucibus hæsit.
Obstupui steteruntque comæ, et vox faucibus hæsit.

Lib. ii. 774.
 Lib. iii. 48.

He has also his tautologies of letters and rhymes, as,

————— *Talia dicta dabat*
Nesquam omittebat, oculosque sub astra terreat.

Consider well these expressions, and tell me wherein consists their elegance? Is it in their snarling syllables? or in their hissing harshness?

——— *Invecta rotis Aurora rubebat*
 —— *Nec quæ pepegere recusant.*
Non Teucros agat in Rutulos, Teucrum arma quiescant
Et Rutulum ———
Dissiluit, fulva resplendent fragmina arena.

The Close.

From all that has been said, I think I may safely infer, that the complete age of heroic poetry is yet unborn; that the ancients have made but coarse draughts of this sort of poesy, and that it is reserved to the moderns to set the last hand thereunto, for invention, form, and contrivance, characters and sentiments; though for expression they will ever come short, because the modern languages are far inferior to the Greek especially. Besides that, the rules of the epic poesy are better understood now-a-days than ever before; since the famous contest of Torquato Tasso with the academy of Florence, about his poem of Jerusalem Delivered, of which the eloquent Balsac said well, that in this kind of excellent writing Virgil is the cause that Tasso is not the first, and Tasso that Virgil is not the only. *Discours sur la Tragedie d'Herode par Heinsius.*

Though the party against Homer and Virgil is the least, 'tis neither the less strong nor the less rational. And I am apt to believe that notwithstanding Casaubon's curse; *Qui Homerum contemnunt, vix illis optari quidquam pejus potest, quam ut fatuitate sua fruuntur.* Casaub. *Dissertat. de Homero*, it would become victorious over the other if the necessity we are in to put Homer and Virgil into the hands of youth, for their rare expressions in Greek and Latin, did not make them deal favourably with abundance of things which otherwise they would condemn. Alcibiades was therefore in the right to box that master in whose school he found not Homer's works. *Apothegm. Principum in Plutarch.*

Let, therefore, Homer and Virgil's poems be confined to the schools, where Evangelus in Macrobio thinks them only proper; *instituendis tantum pueris idonea*; but not appear at court, nor be put into the hands of such scholars as wear swords by their sides and hold a commander's staff in their hands. Finally, let authors commend as much as they please all Homer's books and cantos single and by themselves, because most of them contain abundance of wit and much delight; but for a curious contrivance of an heroic poem and a regular œconomy of an epic fable, as I see none, I cannot much commend them to the perusal of gentlemen, says Perrault, Comparison of the Ancient with the Modern.

Two Essays, sent in a Letter from Oxford, to a Nobleman in London. The first concerning some Errors about the Creation, General Flood, and the Peopling of the World. In two Parts. The Second, concerning the Rise, Progress, and Destruction of Fables and Romances. With the State of Learning. By L. P. Master of Arts. 1695.

An Apology for writing the following Essays.

MY LORD,

The universal disposition of this age is bent upon a rational religion; the fierceness of bigotry is in good measure calmed and allayed; therefore I venture out upon this pacifick sea, hoping to reach my port without any storm or hardship. Most nations in Europe allow of a liberty and latitude in natural philosophy; Copernicus, Galileo, Campanella, Mersennus, Gassendus, Cartesius, and many others, are not esteemed the worse Christians, because they contradict the scriptures in physical or mathematical problems. The sacred writers spoke to a generation of men who were never famous in arts and sciences, therefore they adapted all their sayings to the vulgar ideas of that time and nation; their design being not to compose a natural system of the world, but to establish the true theocracy and good morals. What unjust calumnies have been thrown upon the worthy master of the Charter-house, upon the account of his Theory of the Earth, and his Archæologia (pieces of admirable workmanship,) which his enemies may be ashamed of, as some were upon the discovery of the Antipodes and the New World.

The philosophick history of the Bible is not always to be embraced; for what an outcry against Mr Hobbes! because he described God Almighty as corporeal, though Moses and the scriptures had done so before him. Things are denominated heresy and atheism, not by any certain rules of truth or falsehood, but according to the caprice or interests of sects and parties. So the Christians were called Athei by the pagans, because they did not sacrifice, nor consult oracles, nor worship images. So one nation calls another barbarous, because different in habit, manners, diet, and ceremonies. The philosophers of Athens style one another hereticks, as they frequented such a school or academy. So in England, we give nick-names, according to the company we keep, or the books we read, or as we vary in our dreams or ideas, or in our designs. *Non omnes, probè nôsti, veritatem metiuntur, aut estimant rationum pondere et momentis, sed affectibus abrepti, aut prejudiciis occæcati, quasi clausis oculis, de rerum coloribus discernunt. Sæpè etiam ad concitandum invidiam authoris mentem aut verba in alienas partes detorquent. Hæc signa homines solent variè interpretari, et trahere ad sua vota, aut spes, aut metus.*

So, my lord, I will conclude this apology, which I thought necessary to premise, in order to level the way to a fair reception and interpretation of these Essays, which come from one, whom your lordship knows to be well-affected to the church of England, and not in the least tinctured with atheism; a crime unjustly charged upon many excellent men, who have a more than ordinary zeal and veneration for the supreme, all-wise, and all-powerful Being. I have travelled many countries, yet could never meet with any atheists, who are few, if any; all the noise and clamour is against castles in the air; a sort of war, like that of Don Quixote with the windmills. So I take my leave and farewell, being,

My lord,

Your lordship's most devoted servant,

L. P.

The First Essay ; concerning some Errors about the First Creation, General Flood, and the Peopling of the World. In two Parts.

PART I.

The common history of the First Chaos, of the Universal Deluge, and of the Peopling of the Old and New World, is so well known to every body, that any account of them in this place will seem unnecessary ; especially to you, who have read so many excellent writers upon them, as judge Hales of the Origination of Mankind, Dr Burnet's most ingenious Theory, Mr Ray's Three Physico-Theological Discourses, &c. therefore I will confine myself, in this short essay, to a plain examination of matter of fact, as it stands in nature, and as it appears to our senses ; which I know will please you best, who long ago began to deride hypotheses, and monstrous traditions, invented and instilled in cells, in nurseries, or in schools, the fountains of mythology, which hath in all ages infected the purity of nature with fables, chimeras, and romances ; and even to that degree, that God Almighty himself (blessed for ever !) must be made use of upon all occasions, to invert and confound his own settled order of causes, and to commit absurdities in nature, either to make good an uncertain tradition, or to corroborate a vain fancy. *Non sunt ij aut scientiâ aut arte divini, sed superstitiosi vates, impudentesque Harioli, aut inertes, aut insani, aut quibus egestas imperat ; qui sibi semitam non sapiunt, alteri monstrant viam.* Cicero de Divinatione.

But to come close to the point : We have been told of old, that at the first creation all was mingled in a fluid chaos ; and that, in process of time, there came on gradual separations, sediments, and that concreted mass which we now call the world. This made some great philosophers¹ conclude, that the shells, teeth, and other bones of fishes, were embowelled in the beds or strata of the earth, upon the gradual or leisurely separation, or draining of the waters after the first creation. We have also been assured, that these shells, and bones, and plants, were dispersed all the earth over, and lodged deep in its bowels, in beds or strata, at the universal deluge.² But how far either of these opinions or hypotheses will stand an ordinary test, you will soon judge, after your wonted manner, physically, mechanically, and experimentally ; for I know you rely no further upon authority, than as it is agreeable to common sense, or to the ordinary providence of God Almighty.

The most rational way to examine these problems, is by the laws of gravity, or by the hydrostaticks ; because the controversy is about the descent of solids in fluids ; in the managing of which, there is no need of any extraordinary or miraculous intervention of the first infinite cause, the principles and rules being originally established by it ; and though we may grant that the first chaos and the universal flood might be miraculously brought about, yet there is no colour for thinking that the hand of God would confound its own laws (where there was no manner of necessity,) in forming and re-forming the machine we call the universe ; especially in the phænomena of gravity, for settling this terraqueous globe of ours in the figure and texture we now behold it.

Suppose then all the solids dissolved or intermixed, floating and subsiding in the great fluid of the chaos, or in the vast abyss of the deluge, the most ponderous must subside first, deepest, or nearest the centre ; and the rest, according to their several respective weights, or specifick gravities, must take their places in this new bed or mass of sediments ; the metals would be the lowest, the rest of the fossils above them,

¹ See Mr Ray's three Physico-Theol. Discourses, &c.

² See Steno's Prodrômus, translated by Mr Oldenburg ; Dr Hook's Micrograph. Roy's Travels, from pag. 113 to pag. 130 ; Plot of Oxfordshire, &c.—*Orig. Notes.*

the abyss of water above these, and so on to the animal and vegetable bodies ; which could not statically subside with parts heavier in bulk or in specie.

But let us view these layers or strata of the globe as far as they appear to us : The metals are often at the top, beds of marble near the superficies, vegetable, testaceous, and other animal-like bodies lower still ; and the abyss, or sphere of water, said to be the lowest of all : An odd face of sediments, a fantastical descent of solids in a fluid ; neither natural nor preternatural, nor supernatural ; without design, or any end.

Besides, the same shells and marine-like bodies are not only found deep in beds of earth and stone, of different specifick gravity, but also on the very superficies of the earth itself ; as cockles, and *cornua ammonis* (the most ponderous) under which are several layers of earth lighter than they ; if the latter (*viz. cornu ammonis*) is any species of testaceous animal, it is either not extant at this day, or else lies deep in the bottom of the sea, remote from the shores, where it is hard to conceive broods of such shell-fish, where there is such want of air, of food, and such a mighty pressure of water, sufficient to squeeze and break much firmer bodies.

But perhaps the water might be so kind as to dissever,¹ or take to pieces, the adamantine rocks, porphyry, and talc (insuperable to fire, and to most inventions of art) and to preserve at the same time her brittle shells and the tender plants entire and whole ; whilst the stubborn mass of fossils was forced to yield, and lay dissolved in a furious abyss. This may pass with romantick readers, but scarce with any sound or thinking philosophers.

It is hard to conceive how leaves and light shells should fall in *æquilibrio* with the much heavier parts of marbles, minerals, and other fossils, and be embodied with them in the same beds, layers, or strata, by the principles of the same specifick gravity, whose laws are certain and constant. Crabs and lobsters claws, and all light shells whatsoever, are said very seldom to occur upon land ; because, being left on the surface of the earth after the deluge, and so exposed to the air, and other accidents, they were rotted and destroyed. (Dr Woodward, in his Essay.) To which it is answered, that the lightest shells on our shores are the Echini ; yet the Echinites, of divers kinds or sorts (with respect to the number of shells on our British coasts) are the most common fossil shells, or shell-stones, of England ; and they are often found at the depth of at least three or four fathom, and that under rocks of solid stone ; and as for joints of crabs claws, they have been found lodged about six fathom deep, upon the sinking of a well.

Coral, and the astroites undulatus, or the sea-mushroom, are sometimes found sticking to these supposed antediluvian shells ; which is an argument that the whole mineral kingdom (of which these are properly members) was not dissolved in the hotch-potch, or pudding, of the deluge.

The author of the late essay censures Dr Burnet for broaching and vending opinions contrary to the sense of scripture ; yet he himself will be found to contradict the history of Moses ; for whereas he gathers from his antediluvian plants, that the earth was not only totally drowned, but also dissolved, some time betwixt the seventeenth of May and the end of the same month, Moses tells us, The waters prevailed (*i. e.* as I understand it, the flood increased) for 150 days, before the fountains of the deep were shut up. Nor was it necessary, in case the world was dissolved in a fortnight's space, that it should rain forty days and forty nights for the drowning of it. But it is no wonder to see physical theorists and hypothetical speculators grope and stumble in the dark, as soon as they begin to desert the day-light of sense, and to float out of all depth.

Upon enquiries made into the bottom of the sea by divers and navigators, it appears to consist of inequalities of rocks, mountains, vallies, beds of sand and earth, of fossils

¹ See Dr Woodward's late Essay.

and plants, though of different kinds from those at land. In this aqueous part of the globe, the water is uppermost, whereas in the other 'tis lowermost; an argument that the manner of the subsiding (or descent in the general fluid at the chaos, or flood) of solid bodies were quite different in these two parts of the globe, and therefore not proceeding from the same causes or principles; whereas Nature is uniform in all her parts, and Providence beautiful in her symmetry.

To conclude, therefore, the first part of this Essay, I cannot but continue in my old opinion, that the world was thus formed from the beginning, no total dissolution, nor any universal inundation; some particular great changes have happened, as new mountains by turning up of the earth; some new islands, especially at the mouths of great rivers, by their sediments of earth brought down from the land; some new lakes, by earthquakes, and some other mutations from particular floods or volcanoes; though a late author would scarce allow of any of these sorts; nothing but a general dissolution of the whole terrestrial globe will go down with him, the smaller changes by earthquakes not passing current; though history and the observations of sense make for the latter, and only dreams and phantoms for the former.

All these marine-like bodies dug out of the bowels of the earth, may, with more appearance of reason, be peculiar sorts of fossils, (as an ingenious writer supposes^a) or natives, or original creatures of the earth, (call them what you please) rather than strangers, brought in by I know not what barbarous inundations, and universal dissolutions, and settled there by I know not what laws, or force, or power; I am confident not by any divine appointment, for that acts more regularly, and more discreetly.

I would gladly know why these shell-like bodies, or plant like substances, may not be congenial to the earth. Plants will propagate on land and in water without any visible or manifest seed; shells will shoot or grow in the glands of animals; and insects may sometimes breed without animal parents, or eggs, or seed; therefore, why not testaceous-like substances, or shells themselves in beds of earth, or stone, where they are found, rather than be brought and laid there by fairies, or invisible agents, that must turn heaven and earth up to make way for those toys, and preserve them miraculously in their voyage thither?

Thus have I done with this problem. If you please to study and know it perfectly, you must consult many authors: As,

Fab. Columna de Purpur. et Glossopetris, with Dan. Major's Notes, 4to. Kiliae. 1675.
Hook's Micrography, and Lectures upon Spring.

Steno's Prodrum. Latin and English, 8vo.

Steno, de Cane Carcharia et Glossopetris, 8vo.

Ray's Topograph. Observations made in a Journey, &c. 8vo. From p. 113 to p. 131.

Ray's Three Physico-Theological Discourses, &c. 8vo. second edition, 1693.

Grandius and Quirinus, de Diluvio Universali á Testaceis Fossilibus. Venet. 1676. 4to.

Agostino Scilla Lettera circa 1 Corpi Marini Petrificati. 4to. Con molte Figur. Napoli, 1670. As quoted by Mr Ray, the book being unknown to me.

P. Boccone, in his Recherches et Observ. Nat. 8vo. 1674.

Dr Plot's Natur. Histor. of Oxfordshire. Fol.

Dr Lister, in Philosoph. Transact. and de Cochlitis.

Dr Woodward, in his Essay towards a Natural History of the Earth. 8vo. 1695.

^a Dr Woodward in his Essay. ^a Dr Lister, in Transact. Philosoph. and de Cochlit.—*Orig. Notes.*

All the foregoing authors, except Dr Lister and Dr Plot, stretch hard to fetch these land shells from the bottom of the sea to the tops of mountains, and into the deep entrails of the earth, by the means of a chaos, a deluge, or earthquakes; but all of them in different ways, and with what success, I think, I have made clear.

But now we are upon this subject, let us discourse a little with the author of the late Essay toward a Natural History of the Earth, who says, p. 108, That the teeth, bones, and other parts of animal bodies, as also the trunks, roots, and other parts of vegetables, were not dissolved in the deluge, as all the fossils and solids of the earth were. Now if these vegetable and animal parts of the land floated entire and whole, why do not we find greater quantities of them under ground? The antediluvian trees, and especially the bones of terrestrial living creatures, would be more plentifully buried, or embodied under the ground, than the remote spoils of the sea, which, in some places, must have travelled two or three thousand miles, to get into their land beds, and that too in a very short space: The author (Dr Woodward in his Essay) allowing but some time in the month of May for bringing about this mighty universal change; which, if so quick, how will he bring together into one place, so many distant and different animals some thousands of miles over both sea and land? And the author will have a pretty piece of work to convey all these species of living creatures back again to their respective continents and islands, unless he keeps in store all his carriages, his pontons, his magazines, his transport-ships, and other necessities for long marches and navigations.

I thought to have proceeded in an examination of his great abyss of waters, and his subterraneous fire over them, as also of his origin of springs, rivers, vapours, and rain, and of his manner of forming metals, but I refer those parts to abler pens, who understand distillation, the calculation and motion of fluids, the generation and growth of metals, and other fossils: however, I will touch a little upon the manner of stocking his new globe a second time, after his great beloved catastrophe; which he extends to all regions of Asia, Africa, Europe, and America, though only part of Mesopotamia and Syria were inhabited by the antediluvians, upon whose account he will have this universal dissolution of the whole globe of the earth to be brought on; which is not agreeable to the usual methods of Providence, nor to the wisdom of the divine nature; for what design could there be in destroying all the innocent dumb creatures, and the beauty of the creation, in the uninhabited parts, (which were above a hundred to one, in respect of those planted by antediluvian people) for the sake only of a few wanton and luxurious Asiatics, who might have been drowned by a topical flood, or by a particular deluge, without involving all the bowels of the whole mass, and the remote creatures upon the face of the earth, in their ruin.

The Second Part of the First Essay; concerning the Peopling and Planting the New World, and other remote Countries.

The design of this Second Part is not to calumniate, or diminish the authority of Moses, who, without dispute, was one of the greatest and wisest legislators that ever appeared in the world, not excepting Solon, or Lycurgus, or Numa. He brought a wandering idolatrous nation to the worship of one true God, and established many excellent laws amongst them: he adapted his history of the creation and deluge to their capacities; and therefore it can be no crime in one, who is no Jew, to comment a little upon some parts of it, with a Christian plainness, and a philosophical liberty, founded upon nature herself.

The West Indies, and the vast regions lately discovered towards the south, abound with such variety of inhabitants, and new animals, not known, or ever seen in Asia, Africa, or Europe, that the origin of them doth not appear so clear as some late writers

pretend ; especially seeing there are no records or monuments of their transmigrations out of Asia, or any other known parts of the world, either before or after the flood ; and their differences from all the rest of the globe, in manners, languages, habits, religions, diet, arts, and customs, as well as in their quadrupeds, birds, serpents, and insects, render their derivation very obscure, and their origin uncertain, especially in the common way, and according to the vulgar opinions of planting all the earth from one little spot.

The great zeal to maintain a Jewish tradition, put many learned Christians upon the rack to make it out. Every corner is searched upon to find out a word, a rite, or a custom, in order to derive from thence many millions of different people. Some will have Norway, others Tartary and China, or some western parts of Africa, to be the source and seminary of creatures, unknown and strange to those climates. The Welchmen are not wanting in their chimeras of peopling of Mexico with their colonies ; and perhaps they have better authority than any can be produced for the rest. The Spaniards, because they found some sticks and pieces of wood laid cross-ways, would needs have the Indians to be of Spanish extraction. The Jews fancied the Americans to be circumcised (their prepuces being only eaten with the pox) and therefore would have them to be of Jewish race : But we will examine the chief of these opinions with brevity and perspicuity.

From Norway the navigation is very difficult, even to our new strong-built ships ; the vast islands of ice, and the weather in those seas, must have been invincible to the little boats, or vessels, of those days ; and the journies over land through Greenland are impracticable, by reason of the mountains and rocks of ice and snow ; besides, there is a great difference in the colour, numbers, in the customs, and mechanicks of the natives of Canada, New England, Virginia, &c. and of the Norwegians ; no foot-steps of Christianity to be found amongst the northern Indians, which are said to transmigrate in the ninth or tenth century. All nations agree in some words, and in some customs ; therefore a resemblance in a few of them is no proof. But further, John de Leat assures us, that with great diligence he found a Mexican dictionary, but could not observe any words to agree with any European language. Besides, many writers, who resided a long time in the West Indies, affirm, that there are so many different languages and dialects in the same kingdom, that one province doth not understand another, even in Peru and Brasil ; and along the banks of the single river of Amazons, there are above one hundred and sixty different tongues and nations, composed of infinite numbers of various people ; so that this country, with Peru and Mexico, might contend with any in Asia, not only in their inhabitants, but in their manufactures and mechanicks, as well as in their civil governments, and they might with the same reason boast of their giving birth to us as we to them.

The origin of most, if not of all nations, is wrapt up in fabulous traditions ; records, and monuments are of late dates ; and when we offer at the beginnings of things, we are swallowed up and lost in the darkness and depth of time. Arts, inventions, and many other things might be lost in the universal devastations of countries, and sometimes revived again in revolutions.

The passage from Tartary into America is as obscure as that from Norway, and the same difficulties lie against it ; the stretching of the Tartarian capes are unknown ; but if they should be joined to the back of Northern America, the journey would be very dangerous (if not impossible) to colonies. The Tartars abound more with horses than all the world besides, and cannot subsist without them ; therefore it is very improbable they should swarm into America on foot, (when they ride in all other parts) and their offspring should be so affrighted with the sight of a Spanish horse that 1000 Tartar Indians should run away from a single mounted cavalier. The land in Tartary, said to be the high road for this transmigration out of the old into the new world, runs

further north than Nova Zembla, or Greenland; and how the animals, that cannot endure the extremity of cold, should climb over inaccessible mountains of ice and snow for many thousands of miles together, is hardly explicable to any thinking man; and that those creatures that live in a frozen continent should not be able to travel along with tender strangers, and delicate passengers, is scarce credible; horses, ermines, and sables, that abound in Tartary, might have found a way much more easily than Indian creatures. A man must press hard to strain Brasil, Peru, and Mexico, through frozen seas, or congealed desarts, made up of snow from the beginning, and covered with night for half the year.

Neither is it probable, that either Norwegians, Laplanders, Muscovites, Tartars, or the people of Jesse, should carry along with them ravenous beasts, or venomous serpents, or such animals as never flock into their countries, as lions, tigers, alligators, monkies, apes, parrots, &c.

Navigations from China through the South Sea to America, are impossible to the junks of that kingdom, which cannot carry provisions for long voyages; besides, the northern parts of the South Seas are too high for them, and the trade-winds always contrary to the east in the latitudes of Peru and Mexico. The compass (necessary in such sort of sailing by long sea) could not be known to the Chinese in those ages; besides, the language of China consists all of monosyllables, whereas those of Mexico and Pera have many. The Indians knew nothing of style, pen, ink, paper, or any manner of writing, (so common in the east) but reckoned the antiquity of time by strung beads, knots, and pebbles; they had neither bellows, saws, nor nails, though plenty of iron ore in the country; but they knew not the way of separating, so long practised in the old world before their traditional passage out of it.

From the western coasts of Africa the sailing is more easy, but then the natives are mostly negroes, or much blacker than the Americans, who have long hair, little or no beards, and are of an olive colour.

But to come closer to the matter; the Americans had neither horse, nor our sort of cow, sheep, nor our barking dogs, nor knew the use of iron: 'tis wonderful they should carry so many fierce and destructive creatures along with them, and leave the mild and useful ones behind; but more wonderful, they should exhaust the old world of many species of animals, never found in it since (nor perhaps before) their generally believed transmigration.

'Twill be hard to make any man (moderately versed in the history of nature) confess, that the pacos, or glama of Peru, or that the manati, (a biped animal) or many other creatures peculiar to the West Indies, should travel from Asia, (where they never were observed to exist) by I know not what ways into a strange world, and all to support an old Jewish tradition.

'Tis unaccountable, that the four-footed beast, commonly called the ignavus, or slug-gard, (that lives most upon trees, and cannot march above forty or sixty yards in a day) should get into America from Asia, where no man ever saw it; and that neither jackals, nor musk-deer, nimble, vagabond creatures, nor rhinoceroses, nor elephants, nor camels, itinerant animals, should ever slip over into the new world, by the same path or ways that the others went, which have left none of their kind behind them.

But then suppose that America was stocked some time or other in the days of King Arthur, from Norway, Tartary, China, land of Jesse, or Africa, yet how came those myriads of people, and new animals, (perhaps strangers, not only to the old world, but to the new itself) into those immense countries, south-west and south-east of America, discovered more lately by Ferdinando Quir, Van Dieman, Tasman, and others? The Indian canoes could not transport them over such boisterous long seas; and the lands about the Straits of Magellan are so desart, that they could not afford such mighty colonies; neither can we fetch them from the capes of Africa or Asia.

I see no way at present to solve this new face of nature, by old arguments fetched from eastern rubbish, or rabinical weeds, unless some new philosopher starts up with a fresh system; in the mean time let them all be aborigines.

Some object, that America in former times was joined to Asia and Europe, by large necks of land of easy passage, which were afterwards broke off by earthquakes, storms, or inundations; but this is begging of the question, without any manner of proof; suppose the fact was so, yet it gives no tolerable account why the animals of the new world should differ in specie from those of the old; and the Americans themselves may with the same probability affirm, that they planted Asia by these ways, seeing they were equally, if not more populous, and excelling in morality, and mechanick arts: For the first Spanish writers tell us, they were amazed at the fineness and contrivance of the Indian works, especially their artificers in gold and silver wares, their spinnings and weavings, and joinery, &c. for which Benzo and Garcillasso de la Vega may be consulted.

But we will give all the rope and scope imaginable to the Mosaick history of Adam's calling all the animals together, and naming them, and afterwards Noah's taking every species of them into the ark, to preserve them in the deluge; yet their dispersion into America, and the Terra Australis, by unknown passages, will scarce solve the difficulties in stocking the remote islands with men and other living creatures above a thousand leagues distant from any land, as the Azores, Bermudas, the isles of the South Sea, &c. most of which abound with natives, quadrupeds, birds, and insects, different in specie from those of the next continents, or terra firma.

A learned writer urges, that the Americans could be of no long standing there, because the Mexicans and Peruvians could give no account of their being there above a thousand years before the Spanish invasion, which is a very strong argument against himself, considering they had not the use of letters, (which methinks they might have brought with them from the old world) nor cyphers, nor any way of registering, but by beads, or stones. Besides, several European nations can give no account of themselves for the first four thousand years; what know we of Britain before Julius Cæsar? Or of Greece itself before the Trojan war?

I am not ignorant, that some late philosophers will have the new animals in America, either to be generated equivocally there, or else to proceed from various mixtures of animals sent from hence; but this hypothesis is of dangerous consequence, even to our own history of the old world, and may avert the Mosaick system here at home; for if there are equivocal generations (especially in the most perfect kinds) or new species produced every day, what need of a settled uniform creation, and such a distinct number of every species of animals in paradise, or in Noah's ark? But besides, equivocal generations do not only tend to atheism, but are evidently exploded by demonstrative experiments; and as to promiscuous generations, commonly called Hebridous, between distinct kinds, they can never propagate, as we see in mules, &c. and it is easily proved that there can be no propagation of any new species, but that the number of creatures, as to their kinds, have always been the same from the beginning.

As many difficulties lie against the Mosaick system of confining all species of living terrestrial creatures within the Asiatick or primæval paradise, and afterwards to Noah's ark, so more seem to arise against the propagation of all mankind out of one single male and female, unless all posterity, both blacks and whites, separated by vast seas, were all included actually in form within Adam and Eve.

The origin of negroes lies very obscure; for time out of mind there hath been blacks with a woolly substance on their bodies instead of hair; because they are mentioned in the most ancient records now extant in the world. 'Tis plain, their colour and wool are innate, or seminal from their first beginning; and seems to be a specifick character, which neither the sun, nor any curse from Cham, could imprint upon them.

Not the first, because many other nations, living under the same climates and heats, are never black; as the Abyssines, the Siamites, the Brasilians, Peruvians, &c. neither will any white ever become a black, in Guinea, Congu, or Angola, though born there; neither will any negroes produce whites in Virginia, or New England. The textures of their skins and blood differ from those of whites.

Not the latter; for what curse is change of colour, that being only accidental to beauty, which consists wholly in proportion and symmetry? The old statues in black marble are as much, if not more, valued than those in white. Besides, the curse upon Cham's account must have turned many of the Asiatics, and all the Egyptians, into negroes; for they were cursed more peculiarly than the western remote coast of Africa.

This colour (which appears to be as ingenerate, and as original, as that in whites) could not proceed from any accident; because, when animals are accidentally black, they do not procreate constantly black ones, (as the negroes do) as in dogs, cows, sheep, and in some birds; accidental colours vary in the same numerical subject by changes of seasons, of diet, of culture, &c. but a negroe will always be a negroe, carry him to Greenland, give him chalk, feed and manage him never so many ways.

Constantia Semina Rerum.

The Second Essay, concerning the Rise, Progress, and Destruction of Fables and Romances; with the State of Learning.

The bare, naked, or simple way of instructing by precept, being found jejune and nauseous, a mixture of fable was therefore thought necessary to sweeten and allure the minds of men, naturally superstitious and credulous; which kind of philosophy was first made use of amongst the eastern nations, the Hebrews themselves not excepted. Hence it is, that the oldest books are mythological, as Æsop, Homer, Hesiod, Orpheus, &c. This fabulous way of writing passed from the poets to the schools and theatres. *Sed diligentèr intuerè has Nænias, quantam sub illis utilitatem reperies, nec aliud quidquam per fabellas quæritur, quam corrigatur error ut mortalium, acuatque sese diligens industria.* Phædrus.

In Herodotus and Diodorus Siculus, there are many fictions, but invented only for want of truth; such are the imaginary originals of most nations, &c. but the true sort of history is judiciously distinguished by Diodorus from the mythological or fabulous; such as is all that before the Trojan war.

Strabo affirms, that the histories of the Persians, Medes, and Syrians, deserve little credit; the inventors of fables were in such vogue and esteem, that all their writers followed the romantick vein, which had reigned long in Egypt.

These seeds of fiction being transplanted into Greece, found the soil very fertile and luxuriant. The Greeks, addicted to poetry and invention, ran all upon figures, allegories, fables, and parables. The Egyptians before had taught them the mysterious way under hieroglyphicks, under masks and disguises, which make up their mythologick theology. The tales told by the Egyptian priests to Pythagoras, Plato, and other Greeks, failed not to tickle their curiosity and passion of novelty. *Græcia Mendax.*—

The sacred authors themselves complied with this humour of parables and fictions, the holy scripture being altogether mysterious, allegorical, and enigmatical; and our Saviour himself gave his precepts under this veil. The Talmud contains millions of fables, every one more impertinent than another. The Arabians excelled the Hebrews in metaphors, similitudes, and fictions, of which their Alcoran is a proof, as well as their numerous troops of poets, which afterwards infected Spain and Provence with

rhodomontade and knight-errantry, giants, dragons, enchanted castles, and such-like acts of chivalry.

From these fountains the Christian monks drank in the art of lying and composing of legends: But they did not tell their tales so finely as the Greeks and the Orientals. They imitate the sibyls and the oracles in their cells and hermitages, though not in the wisdom or cunning of their precepts and doctrines; which yet Tully himself spoke contemptibly of. *Quid verò habet authoritatis furor iste, quem divinum vocamus, ut, quæ sapiens non videat, ea videat insanus, et is, qui humanos sensus amiserit, divinis assecutus sit? Sibyllæ versus observamus, quos illa furens fudisse dicitur.*— De Divinat. How long was it inculcated up and down, that the devil spoke in the oracles, and that they were all silenced at our Saviour's coming, till D. Van Dale proved the contrary beyond all controversy and dispute? *V. Dissert. de Oraculis, Eorumque duratione et Auctoribus*, 8vo. Amstelodam. 1683.

I might give here an account of the famous Edda, which relates the wonderful achievements of Woden and his wife Frigga, (whose names we still retain in our Wednesday and Friday. See Verstegan) with the rest of our Gothish ancestors; a book which, for antiquity, might contend with Homer, and as fabulous as the best.

What stories and tales have we of Brute, of Arthur, and Merlin? Every province had their romancers, their strollers, and fable-mongers; the whole world was over-run with lies, and the fictions of these practitioners.

The eastern nations at this very day retain their old gust for fabulous inventions, astrological cheats, jugglers, songsters, and lying mountebanks. They affect still the old oriental rhodomontade, which made up the prophane learning of the Gentiles, and was sanctified even in Syria itself: The sacred writers, complying with the pulse of the Jews, made use of fictions and parables to express their inspirations; therefore our holy scripture, in the judgment of our best critics, Grotius, father Simon, Le Clerc, &c. is altogether mysterious, allegorical, and enigmatical. The Talmudists believed, that the book of Job is no other but a parable of the invention of the Hebrews; the Psalms of David, the Proverbs, Ecclesiastes, the Canticles, and other holy songs, are poetical works, abounding with figures, which would seem bold and violent in our writings, and which are ordinary in those of that nation. The book of Canticles is a kind of dramatic poem, where the passions of the bridegroom and spouse are painted after a tender and touching manner. In the book of Ruth, and in the 23d chapter of Ezekiel, there are many wanton and lascivious expressions; insomuch that Joseph Scaliger was wont to say, that his reading of Aristophanes, Catullus, Tibullus, Propertius, Ovid, and other such authors, did very much enlighten him in the interpretation of the scriptures, in which there are many things divinely said, above the pitch of poets or philosophers.

I thought to have proceeded with prodigies and prophecies, and with a history of enthusiasm, but I find Dr Spencer, the late master of Bennet College in Cambridge, has so ingeniously and fully handled the first, and Meric Casaubon the latter, that a genius much higher than mine will scarcely attempt to come after them: I will only remark here, once for all, that men in former days, that knew and performed above the ordinary level, were suspected of magick; and therefore the learned Naudæus wrote an apology for all the wise men, who have unjustly been reputed magicians, from the creation to the present age; and indeed it is to be wished, that some able pen would do the like for the many sagacious literati, who are at this day most inhumanly accused of atheism, because they search, and find, and hunt a little out of the common field, or do not run headlong in the high road.

Pessima res est errorum apotheosis, et pro peste intellectus habenda est, si vanis accedat veneratio. Bacon. Nov. Organ.

*Tam magna penuria mentis ubique,
In nugas tam prona via est ———
Et sic observatio crescit
Ex atavis quondam malè cæpta, deinde sequutis
Tradita temporibus, serisque nepotibus aucta.*

Prudent. in Symach.

To this essay of fables and romances the history of dæmonology doth properly belong; with all the terrible troops of spirits and witches; but I find this part is so judiciously and learnedly treated of by our countryman Mr Hobbes, in that book of his *Leviathan*, called, *The Kingdom of Darkness*, and lately by Dr Becker of Amsterdam, in four tomes, called *Le Monde Enchantée*,¹ that my labour will be all lost, and would only prove dull repetition; therefore I hasten to the end and destruction of them in these western parts of the world, by what steps it was brought on, and how happily finished.

The most early strokes we meet with are in Dante, Petrarch, and Boccace, in Chaucer, and Wiclef; afterwards, upon the taking of Constantinople, the exiled Grecians fled into Italy, where, under the wings of Lorenzo de Medici, sound learning and good sense began to hatch and creep abroad, fostered and fed by that illustrious family, cultivated by those excellent wits, Poggius, Aretinus, Valla, Gaza, Hermolaus, Barbarus, Angelus, Politianus, and others, who flourished between 1400 and 1500.

The art of printing being invented about 1442, and spread up and down Europe by 1480 and 1490, and afterwards improved and advanced to perfection from 1500 to 1600, under the care and exquisite judgments of the Aldi, the Stephani, the Frobenii, Commelin, Plantine, and others, the rays of new light began to dart abroad, and our hemisphere to be all illuminated.

Reuchlin, Erasmus, Palingenius, Buchanan, &c. dispelled the mists of monkery, and a sort of reformation appeared in glimmerings and flashes.

The mighty genius of Francis the First sprung up about this time, and with his royal cloak covered the naked muses: Hobgoblins and phantoms fled at the rising of this star, which soon grew up to be the sun and glory of letters, the father of true knowledge, and the patron of arts and sciences; in his reign we read of the Bellays, the Chastels, Budæus, Rabelais, Julius Scaliger, Gyllius, Bellonius, Gesner, Rondelatus, and many other eminent men, who carried learning up to a great height.

In the beginning of this last century, England had the honour and felicity to produce my Lord Bacon, a man of wonderful invention and fertility in vast designs; he saw the Greeks and Romans had spun humanity to its utmost fineness and perfection, which laid buried many ages under Gothic ruins and monkish rubbish; he saw the restoration of this ancient civility and politeness, and observed the belle lettre to resume its utmost strength in Joseph Scaliger and Isaac Casaubon; therefore he drew another plan, and laid the foundation of a new experimental learning upon the observations of sense and matter of fact; which hath been since prosecuted in the mathematicks, the mechanicks, natural and physical history, with a happy success in most parts of Europe. 'Tis therefore that the present age affords so much of real knowledge, and will not endure empty notions and vain speculations, which had so long amused and vapoured the world; we presently call for clear proof, fact, or ocular demonstration: What improvements in all the parts of life might not be expected from such sound principles, if we had a Richelieu or a Colbert to put the springs and wheels in motion? For want of such a fund, the true philosophy begins to degenerate and

¹ There was a fifth volume of this curious work afterwards published.

dwindle into gossiping, into tale-telling, into jests, into romantick hypotheses, and idle whimsies : *Nubes pro Junone.*

Postscript.

MY LORD,

I thought to have troubled your lordship no further at present, my temper disposing me to speak little, and write short ; but observing in many late authors a false method of making general and universal conclusions from some particulars, I could not but take notice of it in this place, because your lordship has a true logical head, and a sound way of reasoning.

Some writers, because they find shells on the shores, to be the spoils or exuviae of sea-animals, and plants at land to rise from seed, therefore they conclude, that all other shells, or shell-stones, resembling them, must come from the same place, and all vegetables be produced in the same manner ; so they affirm all insects to be generated by animal parents, because they observe some to proceed from eggs ; as though Nature, or the almighty Governor of the universe, must be confined, in all the various mysterious ways of generations, to their singular or narrow caprice, founded upon a few particular observations.

Many crustaceous and testaceous animals are peculiar to lakes, rivers, thickets, caves, rocks, beds of mud and sand, of which many species are unknown to us at this day ; and perhaps the land, or fresh-water shells may be as numerous as those at sea ; therefore we need not fetch all our subterraneous shell-stones from the ocean ; but I see no contradiction or absurdity in nature, in ascribing the origin of these resembling marine shells to the plastic power (or call it what principle you please) of the earth ; the same may be said of the subterraneous vegetables ; for this way of explicating these appearances is not attended with half so many, or great difficulties, as that of bringing them in by an universal dissolution of the earth at the deluge.

Shells, or testaceous figured bodies, may be generated in beds of earth or stone, as easily as animals or plants themselves, which are sometimes found alive upon the breaking of rocks and stones asunder, into which neither water, nor air, nor animal parent, nor seed, could have any ingress ; especially if we suppose, with the late author of the Essay towards a Natural History of the Earth, &c. that quarries, or the strata of stone, were formed upon the settlement of our globe, when dissevered and taken all to pieces. in the flood.

Men conversant in medical observations, and anatomical history, observe great variety of stones curiously figured and coloured, as also wonderful diversity of worms, and other insects, to be daily formed in the bodies of animals, especially in the galls, bladders, stomachs, and glands ; but they meet with insuperable difficulties, when they attempt to bring them into the microcosm, they know not what ways, nor from what places. So the subterraneous speculators, viewing testaceous and other animal and vegetable-like bodies in the bowels of the greater world, are forced upon the rack, when they endeavour to fetch them in some strange places. The safest way is to take the nearest cause, and to explicate nature by her immediate steps and appearances ; as Aristotle did very judiciously upon this occasion : *Testacea interdum spontè è limo proveniunt, alia ex alio ; ostreae in cænoso, conchæ et quæ suprâ diximus in sabuloso ; circa Saxorum cava papillæ seu tethya, balani seu glandes, et quæ per summa adhærent, ut lepades seu patellæ, et neritæ.*

Neither are shell-like bodies sometimes thus propagated, but vegetables themselves, which will often spring up plentifully in countries where they never grew before, even out of the trunks of trees, out of stones, and on the tops of the highest places. What

myriads of insects are produced upon steeping pepper in rain-water? And shall we wonder to see shell-stones, teeth, and other bone-like figured bodies in the bowels of the earth, when we find the same, if not greater, wonders in our own bodies, and in those of quadrupeds, birds, and fishes; as teeth in abscesses, perfect shells in glands, bezoar in stomachs, testaceous or laminated stones in the internal parts of crustaceous and finned fishes, as also in naked snails, besides curious varieties of insects in many parts of most animals? of which physical causes may be assigned, without taking the microcosm all to pieces, in order to bring them in *vi et armis*, by dissolving all that stands in their way.

'Tis hard to conceive how such innumerable aquatick animals should be destroyed by a deluge of their own element; St Austin knew better things, *Animalia, quæ in aquis vivere possunt, diluvii plaga non tetiget: hæc enim terrena tantum mortificavit*; for God inflicted this punishment only upon the earth and its creatures. Why so many millions of fishes bones and integuments to be entombed in graves or beds, perhaps one thousand miles below the surface of the earth, under layers of stones and marble, where they are said to fall or sink by their specifick gravity, during the general dissolution of the earth by the deluge.

Moses seems to be of a different opinion from the writer of the late Essay (though he pretends to corroborate and support the Mosaic system) for Moses gives a plain and clear relation of the mountains standing firm and entire during the whole scene of that action, (read the 7th and 8th chapter of Genesis;) and if the hills continued in their antediluvian state, I do not see how so many millions of shells, teeth, and other bones of sea animals, together with such numbers of antediluvian vegetables, could possibly be buried so deep in the entrails of our planet, fortified and encompassed with arches of metallick mines and quarries. If the ocean did overflow the whole globe (against which many batteries have been raised by the greatest scholars of this island, Isaac Vossius, and the present learned Bishop of Worcester,) and brought along with it many marine bodies out of their natural site or beds, then 'tis probable, that the same fluid principle, or mass, might have rolled them back again from whence it had driven them; for the sea is said to return to its primæval channel immediately after the work was over, so it might have carried them back again as easily as it roused them at first from their native depths, or marine situations.

Sir John Narborough, in his voyage to Chili, observed in several cliffs and hills on the coasts of Patagonia, lumps of oyster-shells buried up and down at land; yet he could never find any oysters in those seas, though he had sounded most of the ports of Southern America. Every body knows that this shell-fish always breeds near the shores; so that flying to the deep can be no subterfuge here.

In Europe many shell-stones, or fossil shells, as also subterraneous vegetables, are found, which are not to be matched either at sea or land; to fancy them in dark and remote parts of the ocean, seems but a weak evasion, and because some may be sampled at sea, therefore all must come from thence, is not a very sound conclusion.

Several authors have attempted to prove the strata, or layers of our globe, to proceed from the several sediments of the universal deluge; and that the *lapis judaicus*, the astroites, or star-stone columns, (of which there are some of enormous dimensions) the bufonites, or toad stone, the *glossopetræ*, and *cornu ammonis*, (though nothing like it at sea) are really the teeth, spines, bones, and other parts of sea-animals, left behind in the bowels of the earth by the general flood. But, I think, all these ingenious writers have stronger fancies than judgments, and a meaner opinion of the invention, art, and power of Nature, than she deserves; for any common observer must find her to vary and sport in nothing so much as in the figures, textures, shootings, and growths of fossils.

The common problem, that a solid included within a solid must of necessity pre-exist before the external or including solid, is notoriously false, from the daily generation of new solids and new animals (as ferrugineous and testaceous stones, as also various insects) within the solid parts of several bodies : Neither doth this necessarily induce any fortuitous or equivocal generation, though the latter may, perhaps, sometimes be brought about in the imperfect kinds of animals, by the same power that intends over and governs the univocal generation of insects ; for that powerful principle is not limited to one single plastick method, seeing matter is capable of all forms.

Jovis omnia plena.

A Collection of Advertisements, Advices, and Directions relating to the Royal Fishery within the British Seas, &c. transcribed out of divers English Writers, Observators, and other Experimenters, of and in the said Fishery-Trade, and by Approbation and Allowance of the Company of the Royal Fishery of England.

Published in order to the inciting the People of these Nations, &c. to improve the Advantages thereof, under the Countenance and Encouragements granted to the said Company and their Successors, by his late Majesty King Charles II. in Letters-Patents, bearing Date the Twenty-fifth Day of September, in the Twenty-ninth Year of his said Majesty's Reign. 1654.

THE fishery-trade has been the subject of many discourses. Some have attempted the thing amongst us, but so, as if they had either not duly reckoned up the cost, charge, and hazard of it, or thought they might make it their recreation, or a mere matter of notion and contemplation ; yea, admiration, (as indeed it is) rather than their serious and diligent employ ; and so applying to it, it has thriven with them accordingly.

The wisdom of this nation in parliament has provided for it, by many good laws, for encouraging and regulating undertakers therein ; that it might be to the nation's advantage, and have continuance. Our statute-books are full of them in the reigns of several of our princes, kings and queens ; and many proclamations have been issued touching the same.

It has also been the care of some of our princes, to assert and challenge their singular interest in, and sole right and title to the fishery of, the British and Irish seas ; which our neighbours have some time allowed and paid, and do still pay our royal navy the respect of their flag for ; and till of late, accepted yearly licenses for their partaking with us in.

There are precedents enough, and some of no mean quality and esteem for learning and experience, who have highly provoked the ingenuity of such an undertaking ; some of our own countrymen, who have met with it in their travels, and reported the fame of it ; others of our neighbours, who have practicably and profitably applied themselves and stirred up their brethren to all diligence and heed therein, that it might be retained as a rich golden mine amongst themselves, and their gains convince all gainsayers that it has been so to them.

But these things may be waved ; there are fish enough for us all, and it may not be convenient in this publication to meddle with the politick part of this affair, farther

than by glancing upon such particulars as lay in common to the publick and private advantages thereof.

This collection, therefore, is intended principally to be confined to such considerations as may incite the people of these kingdoms, &c. to improve a share thereof to their own advantage, by engaging in a joint-stock for carrying on the same ; to be raised, in way and manner as is proposed, by the company of the Royal Fishery of England.

In order whereunto, two things are offered to consideration by these collections :

The first is, A Narrative of what Attempts have been made, under what Encouragements, with what Stocks, and how the Undertakers have succeeded, to the Intent that all may be truly informed and cautioned.

The next is, How all Miscarriages therein be remedied and amended, and whence we may ground our Confidence, that in a due Management thereof, as is proposed, we cannot miss a desired Effect, *Favente Deo*.

For the First, viz.

The late Right Honourable William Earl of Pembroke, Sir William Courteen, Sir John Harrison, and Sir Paul Pindar, in or about the year 1633, became an association, &c. and for their encouragement therein, his then majesty, King Charles the First,

I. Caused Lent to be observed.

II. Prohibited foreign fish to be imported.

III. Took his naval supplies from the then adventurers in that fishing-trade.

Afterwards, viz. in or about the year 1654, Sir Phineas Andrews, &c. proceeding on the fishery-trade, for his encouragement it was provided,

I. That salt spent in the fishery-trade was exempted from customs and excise.

II. Collections were granted and made in London, and other places, for building of docks, wharfs, store-houses, and renting of ground, for the making, tanning, drying, and mending nets.

III. Also exemption from custom and excise of all naval necessities, as timber, cordage, &c. used on such occasions.

After him, viz. in or about the year 1660, the said fishery was undertaken by Simon Smith, Esq. for whose encouragement was granted,

I. All the before-mentioned advantages. And,

II. That all commodities, returned for the produce of fish, were allowed to be imported custom free.

Upon the restoration of his late majesty, King Charles the Second, by commission under the great seal of England, bearing date the twenty-second day of August, in the thirteenth year of his reign, his said majesty was pleased to constitute his Royal Highness James Duke of York, Edward Earl of Clarendon, and other persons of honour and wisdom, to be a council of the Royal Fishery of Great Britain and Ireland ; of which his said majesty was pleased to declare,

I. That himself and his successors would vouchsafe ever to be, and to be called, protectors, &c.

II. The said council were authorized thereby to make laws and statutes relating to the management of the said affair, and government of all their officers, &c.

III. To constitute and depute officers necessary for their service.

IV. To enjoin pecuniary mulcts, or pains of imprisonment, on contemners and violaters of the said laws, &c. being not derogatory to the statutes, laws, liberties, or acts of parliament.

V. Their fishermen, mariners, masters, and servants were to be free from all pleas or complaints in any courts of justice, for any thing concerning the fishery, &c. except before the said council or judges, to be by them delegated, &c.

VI. Their fishermen, nor boats, &c. (whether at sea or in port) were to be arrested or impressed for his majesty's service or affairs, without the consent of their owners.

VII. Nor put in assizes, juries, inquisitions, &c. nor made collectors, nor compelled to be constables, or tithing-men, against their wills.

VIII. The said council were authorized to set up a lottery for three years, and to appoint a free collection in churches, for raising of monies to be employed for erecting wharfs, docks, store-houses, and granaries, about the river of Thames, and all ports convenient for that purpose.

IX. That for the space of seven years, from their first entrance upon the fishing-trade, no customs, inward or outward, were to be paid for the sale of fish, either in the Baltick seas, Denmark, Norway, or France.

X. That they might freely vend their fish in foreign parts, and make returns thereof in the commodities of the place, without interruption, by virtue of any power or charter whatsoever to the contrary.

XI. That all victuallers, inns, ale-houses, taverns, coffee-houses, and the like, should take one, two, three, four, or more barrels of herrings yearly, at the price of thirty shillings per barrel, until foreign vent should be attained to perfection, according as the said council should order the same.

XII. That all barrels of pickled herrings and cod-fish, that should be brought into England by the Flemmings, or others, should pay two shillings and sixpence per barrel to the stock of that place or port where they shall vend the same.

XIII. That in case of breach of peace with any foreign nation, his majesty did promise and grant the said fishery should be protected in their fishing-grounds, and should have convoys for their exportation of fish.

XIV. That all other privileges and immunities should be granted unto them, in future, as experience should discover, for the better carrying on of this business of the Royal Fishing, &c. But, according to the proverb, They had other fish to fry.

All which notwithstanding, and that an affair of such a national concern might be the better promoted; and at, and upon the advice and request of the said council, for incorporating a company; in order thereunto, his said late majesty King Charles II. was pleased, by his letters-patents under the great seal of England, bearing date the 25th day of September, in the 29th year of his reign, (viz. about sixteen years after, during which time little or nothing had been done) to constitute his said Royal Highness James Duke of York, Thomas Earl of Danby, (now Duke of Leeds) and several other persons of honour, and others therein named, and such others, as therein after, from time to time, should be admitted into their company and society, to be traders and adventurers with them; to be one body politick and corporate, in deed and in name, by the name of the Company of the Royal Fishery of England, to have perpetual succession, &c. Thereby also giving and granting unto the said company and their successors, divers beneficial clauses, grants, powers, privileges, and immunities, in order to the better government of the said company, and management of their affairs; an abstract whereof here followeth, viz.

I. To purchase lands, tenements, and hereditaments, and to dispose thereof, to the value of one thousand pounds per annum.

II. To have and use a common seal, in and for all causes and businesses of the said company.

III. To assemble and meet together for carrying on their affairs. And particularly,

IV. To elect and appoint a governor, sub-governor, deputy-governor, and twelve committees yearly, for a court of assistants; who, (or any three or more of them, whereof the governor, sub-governor, or deputy-governor, to be always one) are thereby authorized to act in all things according to such rules, orders, and directions, as should from time to time be made and given unto them, by the general court: And

for want of such orders, rules, and directions, to manage, govern, direct, and do, what they should judge necessary and expedient, to the well-ordering and government of the said company, and the improvement of their joint-stock and trade, to all intents and purposes, as if the same were done at, and by a general court of the said company.

V. That the said court of assistants, or any seven or more of them, as aforesaid, as often as they shall find occasion, may summon a general court.

VI. That no assembly, or meeting of the said company, shall be deemed a general court, unless the governor, sub-governor, or deputy-governor, six of the said committees, and five other members of the company at least, be present.

VII. That such general court may admit other persons to be members, and may increase, contract, or divide their joint-stock, as they shall think fit; and the members thereof may grant, transfer, and assign their respective stocks, as is therein mentioned.

VIII. That such general court may ordain and establish such laws, ordinances, orders, and constitutions, as to them shall seem convenient, for the government of the company and their affairs: And may impose and set mulcts and americiaments upon the breakers of such laws: Or may remit, pardon, or release the same, upon the parties submission. And, upon conviction of any misdemeanor, may remove offenders, and chuse others.

IX. That they may fish in, and upon all the coasts, creeks, inlets, estuaries, rivers, lakes, and arms of the sea belonging to his majesty's kingdoms of England, Scotland, and Ireland, or any of them; or any other of his majesty's dominions, whereof the fishings are not already granted, appropriated, or belonging to some particular or private person or persons, bodies politick or corporate. And likewise, in and upon the main sea, or any part thereof: And have free and full liberty to carry and transport their fish, and oil made of fish, to all ports, places, and markets, both in England and beyond the seas; and to sell the same for ready monies, or commodities.

X. That they may erect store-houses, granaries, ware-houses, work-houses; and may build and make wharfs and docks in and upon any of his majesty's wastes, commons, or waste-grounds adjoining unto, or upon any publick rivers or seas, within any his majesty's dominions, without paying, or rendering any rent or duty to his majesty for the same.

XI. That neither their masters, skippers, steers-men, ship's crews, mariners, fishermen, nor others employed by the company in their fishings, whether foreigners or natives, shall be empannelled, sworn, or compelled to serve on any juries, or inquests, at Westminster, the assizes, sessions, or elsewhere.

XII. They have also granted unto them the yearly sum of twenty pounds for each and every dogger which they had, and which, within seven years, they should build in England, or any other his majesty's dominions; the same to be paid quarterly out of the customs within the port of London, without further warrant or directions from his majesty. Also, all and singular privileges in the city of London, as fully and freely as any company of merchants, established by letters-patents, or charters, do, or may have, use, or enjoy.

XIII. That all and singular admirals, vice-admirals, generals, commanders, captains, mayors, sheriffs, justices of the peace, custom-house officers, and all other officers, ministers, liege people and subjects of his majesty's whatsoever, shall be, in and by all things, aiding and assisting to the said company, and their successors, their factors, agents, and servants, in the execution and enjoyment of the premises, as well on land as by sea, whensoever they shall be thereunto desired, as they tender his majesty's good-will and pleasure, and will answer the contrary at their peril, &c. As in and by the said letters-patents, relation being thereunto had for the better certainty thereof, may more fully and at large appear.

The company being thus established, divers particular members thereof advanced

and paid in, as a stock, at first, ten thousand nine hundred and eighty pounds; and, after that, about sixteen hundred pounds more; which was laid out in buying, equipping, and setting forth several fishing vessels, &c. and employing of them in prosecuting the said fishery affairs: But that undertaking was rendered ineffectual, and their said small stock soon exhausted and consumed, not by any thing arising from the nature of the thing itself (as was apparent by the experience the said company had, in having taking and imported in one of their doggers, in a voyage of but three weeks, thirty-two thousand cods, and proportionably thereunto, in several other of their vessels; and by the advantage ordinarily made of the like undertaking by our neighbours, which shall be demonstrated by some narrative thereof, with particular enumeration of their ordinary successes in what follows) but by that ill juncture of affairs, wherein the Dutch and Spaniards were engaged in war with the French, who seized the vessels and goods of the company, as Dutch, being some, or most of them Dutch-built and manned; and principally, because the stock was not sufficient to support so great an undertaking, in case of any misadventure.

And the company consisting then principally of the honourable persons nominated and incorporated by the letters-patents before recited; and they having also received in, admitted, and sworn several other persons as members thereof; they, looking into the affairs of the company, and finding them to be in debt, upon the accounts aforesaid, and not likely to get out, but by a further subscription and advance of monies, as well for clearing off the said debts, as for promoting and carrying on the said trade in future, proposed the same might be done by a new subscription of the then members of the company, to the value of thirty thousand pounds, or twenty thousand pounds at least; which was accordingly agreed unto by the general court, &c. Towards which, eleven of the members of the said company only (viz. of such of them as had been added to the company as aforesaid) began the advance for paying off the debts, and also gave bonds of 1000*l.* each, as was agreed on, for paying off 500*l.* a-piece, to the treasurer of the company, towards a stock for entering thereupon, *de novo*, expecting the patentees would have done the like, which was declined. Nevertheless, several meetings both of the company in general, and of the court of assistants of the said company, were appointed to consider how it might be done by other persons, and to receive proposals from any persons for that purpose, and to report the same, with their opinions, and such articles of agreement touching the same, as they should judge might be most for the advantage of the company, and promoting the said trade: Which, after several meetings and reports made of their proceedings to the said company at their general court, produced a draught of a certain deed, entitled, Articles of Agreement between the Company of the Royal Fishery of England of the one Part, and Sir Edward Abney, Knight, &c. of the other Part; which were agreed unto, and ordered to be engrossed, in order to the perfecting and confirming the same, under the seal of the said company; which was accordingly done on the second day of April, 1683. Which, forasmuch as the clearing the right and title of the present members of the company, (exclusive of the said patentees) may be of use for the obviating of any pretence of objection against the same, the collector hath thought it convenient to insert the abstract thereof, under the heads, or several sections following, viz.

I. There is express mention and recital of the names of all the original patentees, and of their being incorporated by the said letters-patents, for the carrying on the said affairs, by them and their successors for ever, &c.

II. There is, in like manner, a recital of the names of such of the said patentees as were then deceased; and as had assigned and transferred their interests to any others, and particularly to whom.

III. That, upon consideration of the ill state of their affairs, and the debts they had contracted in the management thereof, they did order their whole remaining stock should be sold for payment of their debts, which was accordingly done, &c.

IV. Notice is taken, [and mention made thereof, viz.] that the trade and being of the said company might have then determined with their stock, if some persons therein named, upon proposals made for entering upon a new undertaking and stock, for reviving and carrying on thereof, had not assisted, by raising a new stock of 2600*l.* which was also consumed and spent, &c.

V. That the said company, at a general court held the 8th of March, 1682, declared it was necessary for the carrying on the said trade, that a stock of 30,000*l.* or at least of 20,000*l.* should be raised with all convenient speed: And that all and every of the then living members of the said company, should, at or before the 26th day of the said month of March, subscribe, and firmly oblige himself in a bond of 1000*l.* to John Collins, secretary to the said company, to advance and pay 500*l.* to Richard Hawkins, Esq. their then treasurer, for their adventures in the stock of the said company, in time and manner therein set forth: And that every person failing to make such subscription, bond, and payment, should forfeit 3*l.* per cent. per mensem, until he should comply therewith.

VI. For the encouragement of persons to become adventurers in the stock, and promote the concern, in the room of such as should not subscribe, &c. it was ordered, that any five of the court of assistants, &c. should receive any proposals that might be advantageous to the company: As also, to treat, contract, and agree with the proposals thereof, for their being admitted into, and incorporated with the said company; and to prepare and perfect articles of agreement, touching such proposals as they should judge might be advantageous to the company; to be confirmed by some legal instrument in writing, under the seal of the company.

VII. Notice is taken, that eleven persons, and no more, of the then members of the said company had, in pursuance of the order afore-mentioned, subscribed to advance their said respective shares, &c. and that the same, if brought in, would not be sufficient for the carrying on the said trade, &c.

VIII. It recites also, that Sir Edward Abney, Knight, and others joined with him, being willing, as members, to advance and bring in a farther stock, &c. had made certain proposals in pursuance of the before-mentioned order of the 12th of March, for the erecting and establishing a bank of credit, &c. in the said company, &c. which might have been useful to their affair.

IX. Also, that the committees appointed by the company on the 28th of March, 1683, after several debates and alterations made of the proposals, had come to an agreement with the said Sir Edward Abney, &c. and that they proposed, reported, and offered it as their opinion, that the said articles of agreement, so altered and amended, should be ratified and confirmed at a general court of the said company under the seal of the said company; which was accordingly done the second of April, 1683, in the particulars following, (among others) viz.

I. That the persons, whose names are therein recited, and such others as they should nominate, not exceeding (together with themselves) in the whole the number of twenty-two persons. And also, that the said Sir Thomas Abney, &c. (therein also particularly recited) and such others as shall be joined as governors, or masters of the bank, not exceeding (together with themselves) the number of twenty-three persons more; and no other or greater number than forty-five persons in the whole, shall be, by the said persons, respectively so named, chosen, admitted, or allowed to be of the company of the Royal Fishery of England. But in case one or more of the late members of the company, who have not subscribed, &c. or shall not pay, &c. as aforesaid, shall, at any time or times hereafter, be admitted, or allowed to be, or to act, or shall act as a member or members of the said company, whereby the number of the said company shall exceed forty-five persons in the whole, that then the said Sir Edward Abney, &c. and such others as shall be joined unto them, as the governors or masters of the said bank,

or the major part of them, shall have liberty to nominate the like number of persons, in balance of such additional number; and that they shall be admitted into the company to such further number.

II. That the said whole company shall be reduced, as soon as may be, to the said number of forty-five persons, or fewer, but not under twenty-eight persons: And that, in order thereunto, no person or persons, former members of the said company, who have failed to subscribe, and secure his proportion, shall, for the future, act, or vote, in any of the affairs of the said company, without the consent of at least two-thirds of the said company.

III. That the said company, or such number or committees of them, as according to the said letters-patents, and these articles of agreement, shall be from time to time chosen in, may, to all intents and purposes, act, in all matters and things whatsoever, relating to the fishery trade, as if they and every of them had been by name expressed in and by the said letters-patents: And that no other, or further number of persons, shall be at any time admitted to act, or vote, as members of the said company, without the consent of at least three-fourth parts of the said whole number of the said company and their successors, in a general court of the said company, summoned for that purpose; and meeting in such manner and place as is therein after agreed, &c.

IV. That the bank of credit, and governors, or masters thereof, shall receive, and be capable of all powers, privileges, and securities whatsoever, which the same is, or can, by counsel learned in the law, be made capable of receiving, and taking of, in or by reason of the said corporation, or company of the Royal Fishery of England, and their charter of incorporation, without prejudice to the Royal Fishery trade.

V. That whatsoever shall be concluded and agreed upon by the committees of the company of the Royal Fishery of England, agreeable to the orders and directions of a general court, &c. shall be binding in what concerns the Royal Fishery trade only: And that whatsoever shall be concluded, agreed, and acted by the governors, masters, and chief managers of the bank, or any three or more of them, only shall be binding in what concerns the affairs of the bank: And that all shall be deemed the acts of the company of the Royal Fishery of England, and have allowance, grants, and confirmations under the seal thereof, where they shall respectively propose and desire, or order the same.

VI. That before any person be admitted to be a member of the said company, he shall oblige himself to observe, abide by, ratify, and confirm these present articles of agreement, and whatsoever shall be done in pursuance thereof, &c. as by the said articles of agreement, relation being thereunto had, for the better certainty thereof, may more fully and at large appear.

So then, 'tis evident, that the present members of the company, consisting of the persons particularly named and expressed in the said articles, for carrying on and management of the trade and affairs of the said Royal Fishery, and such others as by them have been since taken in, and added, as members, traders, or adventurers with them, are the legal and rightful company of the Royal Fishery of England, exclusive of the said patentees. And that their proceedings thereupon, and all acts, orders, constitutions, laws, and rules by them made, for the government and management of their affairs, and in order to the raising a new stock for that purpose, are unquestionable, and without the least pretence of irregularity or prejudice to any persons formerly concerned therein.

Since when, the prosecution of the affairs and trade of the said company hath been under the care and management of the said persons, who have been endeavouring the setting up the same by new subscriptions, designed and agreed by them, to the value of sixty thousand pounds, &c. But by reason of the death of his said late majesty King Charles II. and the troubles ensuing, &c. the same was thought fit to be suspended for some further time.

And the company, about three years since, (conceiving it might be seasonably undertaken) assembled for putting their said former design in execution: And finding encouragement, from the readiness of divers persons to join therein, upon several proposals for a subscription, such as, in case of like losses of some few vessels, the said affair might, notwithstanding, be carried on, without the discouragement of being to seek of a stock ready, they have been ever since waiting for a fitting season, wherein they might humbly address themselves to his majesty, and both the honourable houses of parliament, (without interruption of the great affair of providing for and carrying on the war) for the encouraging this undertaking. And,

In the interim, that no farther time may be lost in preparations for this undertaking, (which the parliament, by their act passed in *anno* 13 and 14 Car. II. cap. 28. have declared the publick honour, wealth, and safety of this realm, as well in the maintenance of trade, and support of navigation, as in many other respects, doth in an high degree depend upon the improvement of the fishery) the company have spent their time, and taken much pains, and been at considerable costs and charges, in and about the consulting, consideration, and preparation of such a constitution, laws, and rules for management and governing of their said affairs, and framing such articles, terms, or conditions for admitting persons into the said company, to be members, traders, and adventurers with them therein, as, by discoursing others, they hope will be sufficiently encouraging to subscriptions, for the raising such stock for that purpose. And, whereby his majesty and the parliament may be the better satisfied, that persons of honour, interest, estates, and publick spirits, yea the whole nation are, and may reasonably be imagined, will think themselves concerned, jointly to become engaged to carry on, and stand by the same, as far as the nature of such an affair will admit. And,

In order thereunto, the company have thought fit to cause, as well the said letters-patents, as the said constitution and terms of subscription, to be fairly engrossed at large, in books to be exposed for subscriptions of a present stock of three hundred thousand pounds, or of one hundred and fifty thousand pounds (at least) to begin withal, payable at ten quarterly payments, in equal proportions, (which makes the raising of it very easy) the time and place of which subscriptions will be seasonably advertised, in order to these books being perused and considered by such as shall think fit to resort thereto for their information. And,

For as much as all persons, (especially such as live remote) may have not the convenience of their perusal, and that the affair may become as national and comprehensive of all as may be (which is the design and desire of the company) and none have cause to think themselves neglected, precluded, or surprised thereby, the collector of this treatise hath thought it very conducing to the hastening of such subscriptions, to cause as well the abstracts of the said constitution and terms of subscription as of the said letters-patents, to be printed and published in these collections; to the end all persons into whose hands this shall come, may have the contents thereof before them, and may apply themselves to make such subscriptions as they shall think fit; wherein they are to be advertised, as they are hereby, that the subscribers of the first one hundred and fifty thousand pounds of the said stock, will (for their encouragement) have three per cent. allowed them, to be discounted out of their three first quarterly payments; which is considerable. Wherefore,

Take next the abstract of the said constitution, entitled, A Constitution, Model, or Frame and Method, for government and managing of the Trade and Affairs of the Company of the Royal Fishery of England: As also of some rules and laws necessary to be observed by the persons concerned in the improvement of the stock, &c. viz.

I. That the chief government of the company shall be in, and consist of a governor, sub-governor, deputy-governor, and twelve committees, (whereof four to be called directors, and eight masters) and also of fifteen assistants, viz. to each of them one.

Also, eight wardens, and twenty-five commissioners, or agents for Scotland and Ireland, and as many more of the other members of the company, as shall from time to time be agreed to be admitted ; who, or any fifteen or more of them, together with the governor, sub-governor, deputy-governor, and their respective assistants, or one of them, to be present, five or more of the committees, five or more of the assistants, and five or more of the other members of the company, are to have the chief power of making laws, and ordering the whole affairs of the company, in their general court.

II. That the court of assistants consist of the governor, sub-governor, deputy-governor, the twelve committees, and their fifteen assistants ; who, or any seven, or more of them, whereof the governor, sub-governor, deputy-governor, or their respective assistants, or one of them, to be always one. Three of the said committees, and three of the said assistants, are to have the chief directing and managing of the affairs of the company ; and to act in all things, according to such rules, orders, and directions, as shall from time to time be made and given by the said general court ; and for want of such, may do and execute all things that they shall judge necessary and expedient, as the general court may, &c.

III. That for the more distinct and regular management of the said affairs, the said court of assistants are divided into four chambers, viz.

1. The Fishery Chamber.
2. The Stock or Store Chamber.
3. The Treasury or Cash Chamber.
4. The Accompt Chamber.

Each of which is to consist of the governor, sub-governor, deputy-governor, and their respective assistants, or one of them ; one director and his assistants ; two masters and their assistants, and two wardens ; who, on any three or more of them, to be a *quorum*, are to act and execute by rules and instructions to be given to them under the seal of the company, and not otherwise, in their several and respective chambers.

IV. That there be twenty-eight other members of the company, who shall be called agents, or officers, and be employed in the said respective four chambers, as they shall be directed by the court of assistants.

V. That the nomination and election of the governor, sub-governor, deputy-governor, and twelve committees, shall be in, and by the general court yearly ; save that, not above five of them shall be removed in any one year, but for just causes exprest, &c. The eight wardens, and other agents, officers, or commissioners for England, Scotland, and Ireland, to be nominated by the court of assistants, or sixteen of them.

VI. That within twenty days after publication of subscriptions of one hundred and fifty thousand pounds, a general court shall be called, for electing a sub-governor, or deputy-governor, and four committees, by the new subscribers : and afterwards, elections to be made on the thirtieth day of November yearly, wherein not above five committees to be removed, as aforesaid.

VII. The articles, terms, or conditions, touching the admitting of persons into the company, &c. are confirmed, as a part of the constitution, inviolably to be observed.

VIII. That all subscribers, who shall not be chosen for managers, &c. shall be denominated as traders or adventurers : and their respective shares, both as to profit and loss, yearly stated and determined, as other the stock of the company.

IX. That no member of the company, after the thirtieth day of November next, after subscriptions are notified to be completed, shall have any vote in elections, or making laws, &c. who shall not have subscribed, or be otherwise entitled to five hundred pounds. Nor any person be admitted a member of the court of assistants, who shall not have subscribed, or be otherwise entitled to one thousand pounds.

X. One tenth part of the clear nett profits is set apart for bearing the charges of the company, court of assistants, and four chambers, &c. Also to pay salaries, &c. to

the managing members, officers, and servants. And the distributions and proportions of each are thereby settled, &c. So as that there shall be no diminution of the joint-stock on any account whatsoever.

XI. The accounts of profit and loss are to be yearly stated by the officers in the Account-chamber; each year to end on the tenth of June; the court of assistants to examine and report the same to the general court on the tenth of September following; nine of them to sign the brief account thereof; and each one share of profits to be divided amongst the persons concerned.

XII. In case of loss in any one year, the stock is to be made good out of the next, before any dividend or apportionment to managers, officers, &c. save that servants salaries, of thirty pounds per annum and under, may be advanced and reimbursed out of the next year's profits; and in case the profits of any first years shall not amount to one hundred pounds each share, the same shall also be made up out of the after-years profits assigned for that purpose.

XIII. Mentions in what cases persons may be dismiss their offices and employments; and that the general court, or court of assistants judgment shall be final for the determination thereof.

XIV. Sets the fines on such as shall absent themselves from their attendance, when summoned, or upon adjournments, or for not attending so many hours as shall be agreed upon; unless in case of corporal illness, or licence from their respective chambers.

XV. Directs the custody of the larger seal, letters-patents, deeds and evidences of lands granted to the company, to be kept under two locks, whereof the governor, sub-governor, deputy-governor, and directors to have the key of the one, and their respective assistants of the other. Also, that the trustees, and each chamber, the secretary, and their respective commissioners or agents for Scotland and Ireland, to have one of the lesser seals, to be used by them respectively in the company's service.

XVI. If any differences arise between the members of the court of assistants or several chambers, relating to the company's affairs, they are to be determined by the general court, &c. And the refusers to submit thereto, or to be dismiss their offices and employments.

XVII. The seven trustees are named and settled; and three of the other assistants. The other five assistants are to be elected by them, out of such as shall become subscribers to the new stock of the company. Their after-nominations and succession is also agreed to be, by and amongst themselves, or the major part of the whole fifteen assistants.

XVIII. The governor, sub-governor, deputy-governor, committees, assistants, and all subscribers, before they be admitted into any trust or office in the company, are to declare their approbation of, and acquiescing in the constitution, and all other constitutions, laws, and rules of the company; as is more at large therein exprest.

Here also followeth the abstract of the before-mentioned articles, terms, or conditions, upon which all and singular persons, of what quality soever, within the kingdoms of England, Scotland, and Ireland, &c. may be admitted into the company of the Royal Fishery of England, or be traders or adventurers with them, viz.

I. That whosoever shall subscribe and pay in any sum or sums of money, towards a joint-stock for carrying on the trade of the company, shall be admitted into the same, and have and receive all the benefits and advantages thereof; subject to the constitution, laws, and rules, of the company, and these articles, terms, and conditions, &c.

II. That the sum designed to be at present subscribed, be three hundred thousand pounds, whereof one hundred thousand pounds by the surviving patentees, their heirs and assigns, and the other present members of the company; and two hundred thousand pounds more by other persons. The same to be paid into the treasury of the said company, in manner following; viz. The first tenth part thereof to be paid

within thirty days, from and after notice or publication of the compleating the subscriptions of the said three hundred thousand pounds, or of one hundred and fifty thousand pounds at least, in part thereof. One tenth part more within three months next after their respective first payments; and the other remaining eight tenth parts, by eight equal next successive quarterly payments.

III. That one tenth part of each sum so subscribed shall be appropriated to and for the use and disposal of the trustees, and of such persons as they shall judge have heretofore been, or may hereafter be useful for, or in promoting the interest and service of the company, without account. So as the same nevertheless shall be and remain in the stock, for carrying on the trade thereof. And the remaining nine parts, to and for the sole use and benefit of the respective subscribers, their executors, administrators, and assigns.

IV. That whatsoever further sums shall, at any time hereafter, be thought fit by the company to be subscribed and paid in, for increasing the said stock, shall be in like manner subject to the payment of the like tenth part, &c. for and towards the reimbursement of the subscribers said tenth part of the said first three hundred thousand pounds.

V. That whosoever shall subscribe, and pay in his first payment, and shall not make his second, or any after-payments, by the respective days or times before limited, shall forfeit his first payment to the use of the company, and have credit only for such after-payments as he shall make.

VI. That all shares, or sums amounting to fifty pounds, and assignments thereof, shall be entered and registered; and certificates thereof exemplified under the seal, be given for the same, to such persons as shall desire it.

VII. That no person shall be hereafter admitted a member of the company, unless he shall, at the time of his subscription, declare his approbation of, and submitting to these articles, and engage himself to observe and keep the same inviolably; and also all such constitutions, laws, and rules of the company, as they have or shall make for the management and regulation of their trade, pursuant to the letters-patents, and the present constitution; as appears more at large therein.

And so much shall suffice for answer of the first particular proposed to be considered by the collector hereof, viz. The narrative of what attempts have been made; under what encouragements; with what stocks and successes, both for information and caution.

For the second, viz. How all miscarriages in the said fishery may be remedied and amended, and whence we may ground our confidence, that in a due management of the said affair for the future (as is proposed by the said company) they cannot miss of a desired effect upon their undertaking it; the collector hath thought fit to offer the perusal of a small treatise, entitled, *The Sovereignty of the British Seas*, proved by Records, History, and the Municipal Laws of this Kingdom. Written by Sir John Burroughs, Knight, in *anno* 1633, and printed *anno* 1651. Which being hard to be gotten, some few pages thereof are thence transcribed; being so much as the author thereof hath recommended under the head or title of, *The inestimable Riches and Commodities of the British Seas*; which are as followeth, viz.

I. The coasts of Great Britain do yield such a continual sea-harvest of gain and benefit to all those that with diligence do labour in the same, that no time or season in the year passeth without some apparent means of profitable employment, especially to such as apply themselves to fishing: which, from the beginning of the year unto the latter end, continueth upon some part or other of our coasts; and therein such infinite shoals and multitudes of fishes are offered to the takers, as may justly move admiration, not only to strangers, but to those that daily be employed amongst them.

II. The summer fishing for herrings beginneth about Midsummer, and lasteth some

part of August. The winter fishing for herrings lasteth from September to the middle of November. Both which extend in place from Boughones in Scotland to the Thames mouth.

III. The fishing for cod at Alamby, Whirlington, and Whitehaven, near the coast of Lancashire, from Easter until Whitsuntide.

IV. The fishing for hake at Aberdeen, Abveswhich, and other places between Wales and Ireland, from Whitsuntide to St James's-tide.

V. The fishing for cod and ling about Padstow within the land, and of Severn, from Christmas to Mid-lent.

VI. The fishing for cod on the west part of Ireland (frequented by those of Biscay, Galicia, and Portugal) from the beginning of April until the end of June.

VII. The fishing for cod and ling on the north and north-east of Ireland, from Christmas until Michaelmas.

VIII. The fishing for pilchards on the west coast of England, from St James's-tide until Michaelmas.

IX. The fishing for cod and ling upon the north-east of England, from Easter until Midsummer.

X. The fishing for great staple ling, and many other sorts of fish lying about the islands of Scotland, and in the several parts of the British seas, all the year long.

XI. In September, not many years since, upon the coast of Devonshire, near Minigal, five hundred ton of fish were taken in one day; and about the same time, three thousand pounds-worth of fish, in one day, were taken at St Ives in Cornwall, by small boats, and other poor provisions.

XII. Our five-men boats and cobbles, adventuring in a calm to launch out among the Holland busses, not far from Robin-hood's bay, returned to Whitby full fraught with herrings; and reported, that they saw some of those busses take ten, twenty, twenty-four last of herrings at a draught; and returned into their own country with forty, fifty, and an hundred lasts of herrings in one buss.

XIII. Our fleet of colliers, not many years since, returning from Newcastle, laden with coals, about the well near Flamborough-head and Scarborough, met with such multitudes of cods, ling, and herrings, that one among the rest, with certain sheep-hooks, and other like instruments, drew up as much cod and ling, in a little space of time, as were sold, well near, for as much as her whole lading of coals: And many hundred of ships might have been there laden in two days and two nights.

Out of which wonderful affluence, and abundance of fish swarming in our seas, that we may the better perceive the infinite gain which foreign nations make, I will especially insist upon the fishing of the Hollanders in our coasts, and thereby shew how, by this means principally, they have increased.

I. In shipping.

II. In mariners.

III. In trade.

IV. In towns and fortifications.

V. In power externe or abroad.

VI. In publick revenue.

VII. In private wealth.

VIII. In all manner of provisions and store of things necessary.

First, Increase of Shipping.

Besides seven hundred strand-boats, four hundred evars, and four hundred sullits,

drivers, and tod-boats, wherewith the Hollanders fish upon their own coasts ; (every one of these employing another ship to fetch salt, and carry their fish into other countries, being in all three thousand sail, maintaining and setting on work at least forty thousand persons, fishers, tradesmen, women, and children ;) they have one hundred dogger-boats, of one hundred and fifty tons apiece, or thereabouts ; seven hundred pinks and well-boats, from sixty to one hundred tons apiece, which altogether fish upon the coasts of England and Scotland for cod and ling only ; and each of these employ another vessel for providing of salt, and transporting of their fish ; making in all, one thousand six hundred ships, which maintain and employ persons of all sorts, forty thousand at least.

For the herring season they have sixteen hundred busses at the least, all of them fishing only upon our coasts, from Boughonnes in Scotland to the mouth of the Thames ; and every one of these maketh work for three other ships that attend her ; the one to bring in salt from foreign parts ; another to carry the said salt and cask to the busses, and to bring back their herrings ; and the third to transport the said fish into foreign countries ; so that the total number of ships and busses plying the herring-fare, is six thousand four hundred ; whereby every buss, one with another, employeth forty men, mariners and fishers, within her own hold, and the rest ten men a-piece, which amounteth to one hundred and twelve thousand fishers and mariners ; all which maintain double, if not treble, so many tradesmen, women, and children at land.

Moreover, they have four hundred other vessels, at least, that take herrings at Yarmouth, and there sell them for ready money ; so that the Hollanders (besides three thousand ships before-mentioned fishing upon our own shores) have at least four thousand eight hundred ships, only maintained by the seas of Great Britain ; by which means principally, Holland (being not so big as one of our shires of England, containing not above twenty-eight miles in length and three in breadth) have increased the number of their shipping to at least ten thousand sail ; being more than are in England, France, Spain, Portugal, Italy, Denmark, Poland, Sweden, and Russia ; and to this number they add every day, although their country itself affords them neither materials, victuals, nor merchandize to be accounted of, towards their setting forth.

Secondly, *Increase of Mariners.*

The number of ships fishing on our coasts being, as aforesaid, eight thousand four hundred, if we allow but twenty persons to every ship, one with another, the total of mariners and fishers amounteth to one hundred sixty-eight thousand ; out of which number they daily furnish their longer voyages to all parts of the world ; for by this means they are not only enabled to brook the seas, and to know the use of the tackles and compass, but are likewise instructed in the principles of navigation and pilotage ; insomuch as from hence their greatest navigators have their education and breeding.

Thirdly, *Increase of Trade.*

By reason of those multitudes of ships and mariners, they have extended their trade to all parts of the world ; exporting, for the most part, in all their voyages, our herrings, and other fish, for the maintenance of the same : In exchange whereof they return the several commodities of other countries, viz.

From the southern parts, as France, Spain, and Portugal ; for our herrings they return oils, wines, prunes, honey, wools, &c. with store of coin in specie.

From the Streights, velvets, satins, and all sorts of silks, alloms, currans, oils, and all grocery wares, with much money.

From the east countries, for our herrings, and other French and Italian commodities

before returned, they bring home corn, wax, flax, hemp, pitch, tar, soap-ashes, iron, copper, steel, clap-board, wainscot, timber, deal boards, dollars, and Hungary gilders.

From Germany, for herrings, and other salt fish, iron, steel, glass, millstones, Rhenish wines, button-plate for armour, with other munition; silks, velvets, rashes, fustians, barratees, and such like Franckfort commodities, with store of rix-dollars.

From Brabant, they return, for the most part, ready money, with some tapestries and hull-shop; yea, some of our herrings are carried as far as Brazil.

And that which is more strange, and greatly to our shame, they have four hundred ships with fish, which our men of Yarmouth, within Kent, almost at land, do vent our herrings amongst us here in England; and make us pay for the fish taken upon our own coasts ready money, wherewith they store their own country.

Fourthly, *Increase of Towns and Forts.*

By this their large extent of trade, they are become, as it were, citizens of the whole world, whereby they have so enlarged their towns, that most of them within these four hundred years, are full as great again as they were before. Amsterdam, Leyden, and Middleborough, having been lately twice enlarged, and their streets and buildings so fair and orderly set forth, that, for beauty and strength, they may compare with any other in the world; upon which they bestow infinite sums of money, all originally flowing from the bounty of the sea; from whence, by their labour and industry, they derive the beginning of all that wealth and greatness; and particularly, for the havens of the aforesaid towns, whereof some of them cost forty, fifty, or an hundred thousand pounds. Their fortifications also, both for number and strength, upon which they have bestowed infinite sums of money, may compare with any other whatsoever.

Fifthly, *Increase of Power Abroad.*

Such being then the number of the ships and mariners, and so great their trade, occasioned principally by their fishing, they have not only strengthened and fortified themselves at home, to repel all foreign invasion, (as lately in the war between them and Spain) but have likewise stretched their power into the East and West-Indies; in many places whereof, they are lords of the sea-coasts; and have likewise fortified upon the main, where the kings and people are at their devotion: And, more than this, all neighbouring princes in their differences, by reason of this their power at sea, are glad to have them of their party; so that, next to the English, they are now become the most redoubted nation at sea of any other whatsoever.

Sixthly, *Increase of public Revenue.*

Moreover, how mightily the public revenue and customs of that state are increased by their fishing, may appear, in that, above thirty years since, over and above the customs of other merchandize, excises, licences, waftage and lastage, there was paid to the States, for custom of herrings, and other salt fish, above three hundred thousand pounds in one year, besides the tenth fish and cask paid for waftage, which cometh, at the least, to as much more, among the Hollanders only; whereto, the tenth of other nations being added, it amounteth to a far greater sum.

We are likewise to know, that great part of their fish is sold in other countries for ready money, for which they commonly export of the finest gold and silver; and, coming home, recoin it of a baser alloy, under their own stamp, which is not a small means to augment the public treasure.

Seventhly, Increase of private Wealth.

As touching their private wealth ; if we consider the abundant store of herrings, and other fish by them taken, and the usual prices that they are sold for, as also the multitude of tradesmen and artizans, that by reason of this their fishing, are daily set on work, we must needs conclude, that the gain thereof, made by private men, must of necessity be exceeding great ; as by observing the particulars following will plainly appear.

During the wars between the king of Spain and the Hollanders, before the last truce, Dunkirk, by taking, spoiling, and burning the busses, of Holland, and setting great ransom upon their fishermen, enforced them to compound for great sums, that they might fish quietly for one year : Whereupon, the next year after, the fishermen agreed among themselves to pay a dollar upon every last of herrings, towards the maintenance of certain ships of war, to waft, and secure them in their fishing : By reason whereof there was a record kept of the several lasts of herrings taken that year ; and it appeared thereby, that in one half year, there were taken three hundred thousand lasts of herrings, which, at twelve pounds per last, amounteth to three millions six hundred thousand pounds : And at sixteen, twenty, thirty pounds the last, they ordinarily sold, then transported into other countries, it cometh to, at least, five millions ; whereunto, if we add the herrings taken by other nations, together with the cod, ling, hake, and the fish taken by the Hollanders, and other our neighbours, upon the British coasts all the year long, the total will evidently arise to above ten millions.

The great trade of fishing, employing so many men and ships at sea, must likewise necessarily maintain as great a number of tradesmen, and other artizans, on land ; as spinners, and hemp-winders to cables, cordage, yarn-twine for nets and lines ; weavers to make sail-cloths, cecive-packers, tollers, dressers, and couchers, to sort and make the herrings lawful merchandize ; tanners to tan their sails and nets ; coopers to make casks ; block and bowl-makers for ships ; keel-men, and labourers for carrying and removing their fish ; sawyers for planks ; carpenters, shipwrights, smiths, carmen, boatmen, brewers, bakers, and a number of others, whereof many are mainied persons, and unfit to be otherwise employed ; besides the maintenance of all their several wives, children, and families. And further, every man and maid-servant, or orphan, having a poor stock, may venture the same in their fishing voyages, which affords them ordinarily a great increase, and is duly paid, according to the proportion of their gain.

Eighthly, Increase of Provisions.

And to conclude, it is manifest, that Holland, only affording itself some few hops, madder, butter, and cheese, aboundeth notwithstanding (by reason of this art of fishing) in plentiful manner, with all kinds of provisions, as well for life, as in corn, beef, mutton, hides, and cloths ; as for luxury, in wines, silks, and spices ; and for defence, as in pitch, tar, cordage, and timber : All which they have, not only in competent proportion for their use, but are likewise able, from their several magazines, to supply their neighbour-countries.

The premises considered, it maketh much to the ignominy and shame of our English nation, that God and nature offering us so great a treasure, even at our own doors, we do notwithstanding neglect the benefit thereof, and by paying money to strangers for the fish of our own seas, impoverish ourselves to make them rich ; insomuch, that for want of industry and care in this particular, two hundred twenty-five fisher towns are decayed and reduced to extreme poverty ; whereas, on the contrary, by diligently endeavouring to make use of so great a blessing, we might, in a short time, regain these decayed towns of the kingdom, and add both honour, strength, and riches to our king

and country ; which, how easily it may be done, will appear by some few observations following.

I. By erecting two hundred and fifty busses, of reasonable strength and bigness, there will be employment made for a thousand ships, and for at least ten thousand fishermen and mariners at sea, and consequently for as many tradesmen and labourers at land.

II. The herrings taken by the busses will afford his majesty yearly custom outward, and for commodities returned inward, thirty thousand pounds, and above.

III. We have timber sufficient, and at reasonable rates, growing in our own kingdom, for the building of busses. Every shire affordeth hardy and able men, fit for such employment, who now live poorly and idle at home.

IV. We have victuals in great plenty, sold at easy rates, without payment of excises or impost.

V. Our shores and harbours are near the places where the fish do haunt.

VI. For drink or nets, salting and packing our fish, and for succour in stress of weather, we may bring our fish to land, salt and pack it ; and from some parts of his majesty's dominions, be at our markets in France, Spain, or Italy, before the Hollanders can arrive in Holland.

VII. We have means to transport our fishing into some northern countries, where the Hollanders seldom or never come ; and though we had as many busses as the Hollanders, yet is there vent for all, or more : For in the east and northern countries, and in many other places, herrings are every day's meat, winter and summer, as well to draw on drink, as to satisfy hunger : And in most places, the greatest part of the year, they are scarce to be had ; for presently after Michaelmas, the Sound and rivers are frozen up, so as no herrings can be transported into twenty several kingdoms and free states, until July, which is for thirty weeks together ; so that, when Lent comes, there are few to be bought for money.

VIII. Lastly, since by care and industry we gained from the Flemmings, doubtless, so by the same means we may as easily grow expert in the art of fishing, and in time make it a staple commodity of our own : But this we shall the better and sooner do, if we consider and endeavour to reform certain wants and abuses, which hitherto have hindered us from effecting that good and great work ; whereof these that follow are none of the least.

I. General liberty of eating flesh, contrary to old customs, and the statute-laws provided for observing fish-days ; from whence scarcity and dearth of fish proceedeth : For where flesh is ordinarily spent, fish will not be bought ; and want of sale decayeth all trade, gain being the nurse of industry.

Secondly, Want of order and discretion in our fishing, every man being left to himself, and permitted to fish as best liketh him ; whereas, amongst the Hollanders, two of the best experienced fishermen are appointed to guide the rest of the fleet ; all others being bound to follow them, and to cast their nets according to their direction.

III. The Hollanders, and other nations, set forth with their busses in June to find the shoal of fish ; and having found it, dwell amongst it till November ; whereas we stay till the herrings come home to our road-steads, and sometimes suffer them to pass by before we look out ; our herring-fishing containing only seven weeks at the most, and theirs twenty.

IV. The Hollanders busses are great and strong, and able to brook foul weather ; whereas our cobbles, crayers, and boats, being small and thin-sided, are easily swallowed up by a rough sea ; not daring to adventure far in fair weather, by reason of their weakness, for fear of storms.

V. The Hollanders are industrious, and no sooner are discharged of their lading, but put forth for more, and seek for markets abroad, as well as at home ; whereas our Eng-

fish, after they have been once at sea, do commonly never return again, until all the money taken for their fish be spent, and they in debt; seeking only to serve the next market.

VI. The Hollanders have certain merchants, who, during the herring season, do only come to the places where the busses arrive, and, joining together in several companies, do presently agree for thirty or forty busses at once; and so being discharged, they may speedily return to their former fishing: Whereas our fishermen are uncertain of their chapmen, and forced to spend much time in putting off their fish by parcels.

These and other defects would carefully be taken into consideration, and certain orders made, to make our fishing prosperous and successful; especially considering the fearful mischiefs the neglects hereof hath brought to the king and kingdom in general, and to many good towns and corporations in particular; as by authority (even of parliament itself, in the statute of 33 Hen. VIII.) is plainly testified; which I have summarily here set down, to avoid the prolixity of the original, viz.

“ I. Because the English fishermen, dwelling on the sea-coasts, did leave off their trade of fishing in our seas, and went the half-seas over, and there, upon the seas, did buy fish of the Pickards, Flemmings, Normans, and Zealanders; by reason whereof, many incommodities did grow to the realm; viz. the decay of the wealth and prosperity, as well of the Cinque-Ports, and members of the same, as of other coast-towns by the sea-side, which were built and inhabited by great multitudes of people, by reason of using and exercising the craft and feat of fishing.

“ II. The decay of a great number of boats and ships. And,

“ III. The decay of many good mariners, both able in body, by their diligence, labour, and continual exercise of fishing; and expert, by reason thereof, in the knowledge of the sea-coasts, as well within this realm, as in other parts beyond the seas. It was therefore enacted, that no manner of persons, English, denizens, or strangers, at that time, or at any time after, dwelling in England, should buy any fish of any strangers in the said ports of Flanders, Zealand, Piccardy, France, or upon the sea, between shore and shore, &c.” Which act, by many continuations, was continued from parliament to parliament, until the first of Queen Mary, and from thence to the end of the next parliament, and then expired.

For Conclusion. Seeing by that which hath formerly been declared, it evidently appeareth, that the kings of England (by immemorable prescription, continual usage and possession, the acknowledgment of all our neighbour states, and the municipal laws of the kingdom) have ever held the sovereign lordship of the seas of England; and that unto his majesty, by reason of his sovereignty, the supreme command and jurisdiction over the passage and fishing in the same rightfully appertaineth; considering also, the natural scite of those our seas, that interpose themselves between the great northern commerce of the whole world, and that of the east, west, and southern climates; and withal, the infinite commodities that by fishing in the same is daily made, it cannot be doubted but his majesty, by means of his own excellent wisdom and virtue, and by the industry of his faithful subjects and people, may easily, without injustice to any prince or person whatsoever, be made the greatest monarch for command and wealth, and his people the most opulent and flourishing nation of any in the world. And this the rather, for that his majesty is now absolute commander of the British isle, and hath enlarged his dominions over a great part of the western Indies; by means of which extent of empire (crossing, in a manner, the whole ocean) the trade and persons of all nations (removing from one part of the world to the other) must of necessity, first or last, come within the compass of his power and jurisdiction.

And therefore, the sovereignty of our seas being the most precious jewel of his majesty's crown, and (next under God) the principal means of our wealth and safety, all true English hearts and hands are bound, by all possible means and diligence, to pre-

serve and maintain the same, even with the utmost of their lives, their goods, and fortunes.

Thus far the author of that incomparable treatise on that head, viz. Of the inestimable Riches and Commodities of the British Seas.

In the next Place.

The collector hereof conceives it useful to transcribe and publish some of Sir Walter Raleigh's observations touching trade and commerce with the Hollander and other nations: Proving, that our sea and land commodities enrich and strengthen other countries against our own; which he humbly presented to his majesty King James I. *anno* 1618, in the words following, viz.

" May it please your Majesty to consider these Points following :

" 1. Whether it be not fit that a state-merchant be settled within your dominions, which may both dispose more profitably of the riches thereof, and encounter policies of merchant strangers, who now go beyond us in all kind of profitable merchandizing.

" 2. Whether it be not necessary that your native commodities should receive their full manufactory by your subjects, within your dominions.

" 3. Whether it be not fit the coals should yield your majesty and subjects a better value, by permitting them to pass out of the land ; and that they be in your subjects shipping only transported.

" 4. Whether it be not fit your majesty presently raise your coin to as high rates as it is in the parts beyond the sea.

" 5. Whether it be not necessary that the great sea business of fishing be forthwith set forwards.

" If it please your majesty to approve of these considerations, and accordingly to put them in a right course of execution, I assure myself, by God's help, in a short time your majesty's customs, and the continual coming into your coffers, will be exceedingly increased ; your ships and mariners trebled ; your land and waste towns, which are now out of gates, better replenished ; and your people employed, to the great enriching and honour of your kingdom ; with the applause, and to the comfort, of your loyal subjects, &c."

Touching Fishing.

The great sea business of fishing doth employ near twenty thousand ships and vessels ; and four hundred thousand people are employed thereby yearly, upon your coasts of England, Scotland, and Ireland ; with sixty ships of war, which may prove dangerous.

The Hollanders only have about three thousand ships to fish withal, and fifty thousand people are employed yearly by them upon your majesty's coasts of England, Scotland, and Ireland. These three thousand fishing-ships and vessels of the Hollanders, do employ near nine thousand other ships and vessels ; and one hundred and fifty thousand persons more by sea and land, to make provisions, to dress and transport the fish they take, and return commodities ; whereby they are enabled, and do build yearly a thousand ships and vessels, having not one timber tree growing in their own country, nor home-bred commodities to lade one hundred ships ; and yet they have twenty thousand ships and vessels, and all employed.

King Henry VII. desirous to make his kingdoms powerful and rich, by increase of ships and mariners, and employment of his people, sent unto his sea-coast towns, moving them to set up the great and rich fishing, with promise to give them needful privileges, and to furnish them with loans of money, if need were, to encourage them ; yet his people were slack.

Now, since I have traced this business, and made my endeavours known to your majesty, your noblemen, able merchants, and others, who have set down under their hands for more assurance, and promised to disburse large sums of money for the building up of a strong, rich, and large sea city, which will increase more strength to your land, give more comfort, and do more good to all your cities and towns, than all the companies of your kingdoms, having fit and needful privileges for the upholding and strengthening of so weighty and needful a business.

For example, twenty busses built and put into a sea-coast town, (where there is not one ship before) there must be to carry, re-carry, transport, and make provision for each buss, three ships: Likewise, every ship setting on work thirty several trades and occupations; and four thousand persons by sea and land; insomuch, as three hundred persons are not able to make one fleet of nets in four months for the busses; which is no small employment.

Thus, by twenty busses, are set on work eight thousand persons by sea and land, and an increase of above one thousand mariners, and a fleet of eighty sail of ships, to belong to one town, where none were before, to take the wealth out of the sea, and to enrich and strengthen the land, only by raising twenty busses. Then what good one thousand or two thousand will do, I leave to your majesty's consideration.

It is worthy to be noted, how necessary fishermen are to the commonwealth; and how needful to be advanced and cherished, viz.

1. For taking God's blessing out of the sea to enrich the realm, which otherwise we lose.

2. For setting the people on work.

3. For making plenty and cheapness in the realm.

4. For increasing of ships to make the land powerful.

5. For a continual nursery, for breeding and increasing our mariners.

6. For making employment of all sorts of people, as blind, lame, and others, by sea and land, from ten or twelve years and upwards.

7. For enriching your majesty's coffers, for merchandizes returned from other countries, for fish and herrings.

8. For the increase and enabling of merchants, which now droop, and daily decay.

Furthermore. *Some Particulars needful to be considered of, viz.*

The mightiest huge fishing that ever could be heard of in the world, is upon the coasts of England, Scotland, and Ireland: But the great fishery is in the Low-Countries, and other petty states, wherewith they serve themselves, and all Christendom, as it shall appear.

In four towns in the east kingdoms, within the Sound (Queensborough, Elbing, Statten, and Dantzick) there are carried and vented in a year, between thirty and forty thousand lasts of herrings; which, sold but at fifteen or sixteen pounds the last, is about six hundred and twenty thousand pounds; and we none.

Besides Denmark, Norway, Sweden, Leafland, Rye, Nevil, the Nerve, and other port-towns within the Sound, there is carried and vented above ten thousand lasts of herrings, sold at fifteen or sixteen pounds the last, is one hundred and seventy thousand pounds more yearly. And in such request are our herrings there, that they are often sold for twenty, four-and-twenty, thirty, and thirty-six pounds the last; and we send not one barrel into all those east countries.

The Hollanders send into Russia near fifteen hundred lasts of herrings, sold for about thirty shillings the barrel, which amounts to twenty-seven thousand pounds; and we but about twenty or thirty lasts.

To Stoad, Haniburgh, Bremen, Embden upon the river of Elbe, Weaser, and Emby are carried and vented of fish and herrings, about six thousand lasts, sold about fifteen,

or sixteen pounds the last, which is about one hundred thousand pounds; and we none.

Cleaveland, Gulickland, up the river of Rhine to Cullen, Franckford, or the Maine, and so over all Germany, is carried and vented fish and herrings near two-and-twenty thousand lasts, sold at twenty pounds the last, which is four hundred and forty thousand pounds; and we none.

Up the river of Maese, Leigh, Maestricht, Dendlow, Sutphin, Diventer, Camben, Swoole, and all over Lakeland, are carried and vented seven thousand lasts of herrings, sold at twenty pounds the last, which comes to one hundred and forty thousand pounds; and we none.

To Guelderland, Artois, Hainault, Brabant, Flanders, up the river of Antwerp, all over the archduke's country, is carried and vented between eight and nine thousand lasts, sold at eighteen pounds the last, which is one hundred sixty-two thousand pounds; and we none.

The Hollanders and others carried off all sorts of herrings to Roan only, in one year, besides all other parts of France, fifty thousand lasts of herrings, sold at twenty pounds the last, which is one million of pounds; and we not one hundred lasts thither. They are sold oftentimes for twenty-four and thirty pounds the last.

Between Christmas and Lent, the duties for fish and herrings came to fifteen thousand crowns at Roan only. That year the late queen deceased, Sir Thomas Parry was agent then there, and S. Savors's man knows it to be true, who handled the business for pulling down the impositions. Then, what great sums of money came to all in the port towns, to enrich the French king's coffers, and to all the kings and states throughout Christendom, to enrich their coffers?

Besides, the great quantity vented to the Streights, and the multitude spent in the Low Countries, which there is likewise sold for many a hundred thousand pounds more yearly, is necessary to be remembered; and the stream to be turned to the good of this kingdom; to whose sea-coasts God only hath sent and given these great blessings, and multitude of riches for us to take, howsoever it hath been neglected, to the hurt of this kingdom; that any nation should carry away out of this kingdom yearly great masses of money for fish taken in our seas, and sold again by them to us, which must needs be a great dishonour to our nation, and hindrance to this realm.

In a word, the main bulk and mass of herrings, from whence they raise so many millions yearly, that enrich other kingdoms, kings, and states coffers, and likewise their own people, proceedeth from our seas and lands: And the return of the commodities and coin they bring home in exchange of fish and other commodities are so huge, as would require a large discourse apart. And all the amends they make us is, they beat us out of trade in all parts with our own commodities.

III. It is also thought meet here to publish an extract out of a book printed in Holland, *anno* 1669, put out by the late pensionary John de Witt, entitled, *A Representation of the wholesome political Grounds and Maxims of the Republick of Holland and West Friesland*. Wherein

He makes an estimate of the number of souls subjects of the States General, and concludes they are in number 2,400,000.

And says, these persons maintain themselves as followe th, vi.

By fishing at sea, and to set them out as fishers with ships, rigging, casks, salt, and other materials, or instruments, and the traffick that depends thereon, 450,000

By land husbandry, inland fishing, mowers of downs, and turf-makers; with those that are to furnish those trades with all sorts of materials, as they are husbandmen, - - - - - 200,000

	Brought forward,	650,000
By making all manner of manufacturies, ships, mechanick, or handicraft-works, which are consumed in foreign parts; as also, traders relating to the said manufactures, - - - - -		650,000
By navigation, or sailing for freight and trade only, whereby I mean freight or carriage into foreign parts, to sell and to buy; as also, to carry from and to Holland, all such wares and merchandizes, which pertain not to fishing and manufactures, nor depend thereon: And, lastly, I include herein all inhabitants that are serviceable to such traders and owners of ships let out to freight, amounting in all to - - - - -		250,000
By all these inhabitants, as they are men, women, and children, to provide with and work about all that is spent in this land; as meat, drink, cloathing, housing; arts necessary for ease, pleasure, or ornament; household goods to sell or make, - - - - -		650,000
By the labour and care of all the above-mentioned persons, idle gentry without callings, rulers and officers in polity, usurers, soldiers, hospital-men, beggars, &c. - - - - -		200,000
	In all,	<u>2,400,000</u>

That Holland lies very commodiously to fetch its Provisions out of the Sea, and to provide for its Maintenance by other Arts and Expedients: and how great a Means of Subsistence the Fishery may tend to us.

To procure its food out of the sea, which is common to all men, Holland is very well situate; not only on a sea abounding with great store of fish near the Dogger-Sand, where haddock, cod, and ling, may, in great abundance, be taken and salted; but also, near the herring-fishery, which is no where else but on the coast of Great Britain, viz. from St John's to St James's, about Hitland, Phagril, and Bohennes, in the deep waters, eastward of Yarmouth. And this herring-fishing, now of two hundred years standing, since William Benkelson learned first to gill, salt, and pack them up in casks, with the cod-fishery, is become so effectual a means of subsistence for these lands, (especially since so many neighbouring people, by reason of their religion, are obliged, upon certain days and weeks of the year, wholly to refrain eating of flesh) that the Hollanders do only fish in a time of peace with more than one thousand busses, from four and twenty to thirty last burthen each; and with one hundred and seventy small vessels fish for herrings, within the entrance of Texel: So that those thousand ships being set to sea for a year, wherein they make three voyages, do cost above ten millions of guilders, accounting only the buss with its tackle at four thousand five hundred and fifty guilders, and the setting forth to sea, five thousand five hundred guilders, there remaining nothing of all its preparation the second year but the bare vessel; and that much worn and torn, and needing great preparation.

If these thousand busses do take yearly at least forty thousand lasts of herrings, counting them worth two hundred guilders the last, they will produce to Holland more than eight millions of guilders.

And seeing people have begun of late to make use of whale-oil and whale-fins, and that they are taken to the northward, not far from us, so that we, by southerly winds, can sail thither in six or eight days, the trade of fisheries and salt may easily be settled and fixed to us; or, as it were, entailed to our country: For to fix these fisheries, and many manufactures, and consequently the trade and returns of them, depending upon the

navigation and freighting of ships, we must well consider, that the greatest difficulty to enable so innumerable a number of people to subsist on its own bottom, is the power-fullest means to draw all foreign wares into Holland; not only to store them up there, and afterwards to send them up the countries through the Maese, Waal, Yssel, and the Rhine, (making together one river) to numerous towns and people lying on the side of them, (the most considerable in the world for the consumption of goods) but also, to consume the same imported goods, or to have them wrought up at home. It being well known, that no country in the world, of so small a compass, has so many people and master-workmen as we have. And besides this,

Hereunto may be added, that no country in the world is so wonderfully trenched or cut through for navigable rivers, whereby all merchandize may be carried to and fro with so little charge.

Emanuel Van Materan, in his History, says, “That in three days time, *anno* 1601, there sailed out of Holland to the eastward, eight or nine hundred ships, and fifteen hundred busses, on herring fishing.” And that fishing is such, if that may be credited which the English authors have written, [*viz.* Gerard Malines, in his *Lex Mercatoria*, and Sir Walter Raleigh, and which Lieven Van Aitzma, *anno* 1653, page 863, seems, in some measure, to confirm] *viz.* “That there are yearly taken and spent by the Hollanders, above three hundred thousand lasts of herrings, and other salted fish:” And that the whale fishing takes up above twelve thousand men which sail out of these countries. For, since the Greenland company is dissolved, and the whale fishing set open for all men, that fishing is increased from one to ten; so that we compute that all these fishing vessels are built here; the ropes, sails, nets, and casks made here, and provided with salt; one may easily imagine, that there must be an incredible number of people that maintain themselves thereby; especially when we add thereunto, that all the people have need of meat, drink, clothing, and housing; as also, that the fish, when caught, is transported by the Hollanders, by shipping, throughout the whole world.

And indeed, if it be true that Sir Walter Raleigh affirms, (who made diligent scrutiny thereinto, in the year 1618, whereby to inform K. James) that the Hollanders fished on the coast of Great Britain with no less than three thousand ships, and fifty thousand men; and that they employed and set out to sea, both to transport and sell the fish so taken, and to make returns thereof, nine thousand ships more, and one hundred and fifty thousand men besides. And if we hereunto add what he further says, *viz.* that twenty busses do maintain eight thousand people, and that the Hollanders had, in all, no less than twenty thousand ships at sea.

As also, that the fisheries, navigation, and traffick by sea, with its dependencies since that time to the year 1667, is increased one third more: I say, if it be so, we may then easily conclude, that the sea is a special means of the Hollanders subsistence; seeing Holland, by this only way, affords by its own industry, above three hundred thousand lasts of salted fish taken on board ships: So that,

If we add hereunto the whale, oil, and fins, and our Holland manufactures, with that which all our rivers within our dominions afford us, it must be confessed, that no country in the world can make so many ships lading of merchandize out of itself as Holland alone.

To which the collector thinks he has the freedom to add, *viz.*

That the foundation of all this, is the fish taken out of the British seas belonging to England, &c.

IV. Take a copy of some farther considerations, in all humbleness propounded to his late majesty King Charles II. by Dr Benjamin Worsley, sometime secretary to the right honourable the lords of his said majesty's council for plantations and trade, &c. which said copy hath come to the hands of the publisher, who well knew him to be a person of great ingenuity and truth, and had spent some years, and hundreds of pounds,

in making himself master of this craft, by his travels into Holland, &c. worthy the acceptance of all persons who incline to be concerned in the fishery affairs. He asserts,

1. That the least valuation that hath been hitherto generally put upon the herring fishing is three millions of pounds sterling per year.

2. That the reasonableness of this valuation may appear, by the number of busses usually employed in the said fishing, which are said to be at least sixteen hundred; by the quantity of fish usually caught in each of the said busses; by the registries kept of import and export of the said fish in several custom-houses of Holland and Friesland, and by the known price that the said fish usually bears in all markets.

3. That, according to this valuation, the fishing alone doth amount to more than either the whole manufacture and commodities of England apart, or the whole manufacture of France apart, and consequently, to more than the whole plate and annual production of Spain, considered apart.

4. That the fishing, therefore, being added to all the rest of the manufactures of Holland, (both woollen and linen) and to the greatness of its East India trade, doth unavoidably cast a superbalance upon Holland, more than upon any state of Europe besides, even near to the double, and by this means a superbalance also of stock and strength at sea proportionably.

5. That on the other hand, if the scale of the said fishing may by any means possibly be removed from Holland, and transferred into any other nation, the fishing so transferred shall and must cast near as great an overbalance of trade upon that nation, wherein it is, and as great an advantage of stock, commerce, and strength at sea, as Holland itself now hath.

6. That the fishing then, is the very goal or prize of trade, and the very goal or prize of the dominion of the sea; and that thingsingly, which whosoever gains, makes himself master of both these; and that very thing, which, whosoever misseth, doth miss of both these.

7. That, if we shall therefore wholly relinquish the said fishing to the Hollander, with all the gain and advantage of it, we shall and must relinquish, of course, to him, both the superiority of trade, and the superiority of the power at sea. Yea, we shall and must also deprive ourselves of all capacity for ever to hinder him in either of these two, both because of the extreme loss we have had of our seamen of late, and because we have neither any moral or rational way, or possibility, left us of recovering the said loss again, unless by setting upon the said fishery.

VIII. That the herring fishing, though proper only to his majesty's dominions, and though frequently attempted by us, hath nevertheless, hitherto, always miscarried with us, even from the very end that hath been propounded to ourselves in it: Which is, the example of the Hollanders, and the gain he makes of it, and the necessity we suppose there is of following the same method which we observe him to take in it; which is, to catch and save the said fish in herring busses.

IX. That this our miscarriage constantly in it hath produced, not only a general indisposition, but a general despondency upon the nation, any more to undertake it, or adventure upon it; as having entertained a certain secret persuasion at length, through our unsuccessfulness in it, that our nation hath not a genius for it, and that there is a mystery in it, which though the Dutch do well understand, yet we cannot reach it.

X. Whereas indeed the proper causes of all our miscarriages hath (as I humbly conceive) been rather produced from the deficiencies following:

1. Because we have not thoroughly considered, that the Dutch have many more conveniences for prosecuting the said fishing than we can possibly have, if we will make London to be the principal scale, seat, or staple, for the said fishing-trade (as hitherto we have done) and shall resolve to bring all the fish that is caught here into

the Thames, to be shipped off hence; even as the Dutch do usually bring theirs into Holland, before it can be any where transported. And therefore,

2. Have not well weighed the great disadvantage of this very foundation itself; in regard, it is not a matter of election that the Dutch do bring in all their herring first into Holland, before it be shipped, but is a matter of absolute necessity that lieth unavoidably on them, rather than of choice.

3. Forasmuch as the Hollanders have now for near a whole age been masters of the said fishing, and of the present method of it, in managing it by busses: And forasmuch as they have been now for so long a time possessed of such a vast stock, both of busses, boats, nets, and all manner of provisions, and conveniences for it, which no other nation besides hath, and which none can in any reasonable time, nor without the expence of at least a million of pounds sterling, ever be able to compass. They must, for these reasons, of necessity be in a capacity of husbanding the said fishery in the present order of it, to a far greater degree of advantage, than it is possible for any nation to do besides, who shall endeavour only to follow them, and imitate them in their way, and in the present manner of their ordering of it.

4. It seems not to have been duly considered, that the fishing hath not only of late, but for many years, been made the very interest of the Netherland state; and being looked upon by them as such an interest, without which it is every way impossible that they should be able to uphold the greatness of their stock, power, or trade. And,

5. Such an interest therefore, that as they will never suffer themselves to be beaten or treated out of it, either by prudence or force, so will they never suffer any to share with them in it, if they can any way possibly hinder or avoid it. And consequently,

6. That inasmuch as this is such an interest as upon which they themselves know that the whole of their stock, power, strength, and commerce by sea, doth not only in part, but altogether depend, they must bend the chief of their policy, counsel, and force, not only to discourage any that shall attempt it, but utterly to beat out any that shall undertake it; even though it should be with never so much loss to themselves for a season.

XI. That, as it is for these causes, and upon these grounds therefore, that we have hitherto lost all the stock that we have ever employed about the said fishing, so, while the said causes and grounds do remain, it seems altogether impossible that we should avoid the losing of whatever stock we shall hereafter adventure in it, or employ about it. Seeing, if we shall proceed in no other method than that we have hitherto accustomed ourselves to, it will always be in the power of the Hollanders to under-sell us; and he will be sure purposely to anticipate, clog, and prevent the market of us, where we shall trade for the said fish, provided we continue only in his course, and set not upon the said fishing in any other better or more advantageous order, than that which he is himself so very well seen, versed, and experienced in.

XII. That by reason of the many advantages which it is known that the Hollander hath of us in this business, and by reason of the experience which we have so often had of our own loss and miscarriage in the said fishing, we come likewise to lie under this further disadvantage at present, viz. That there can be no ground rationally to expect that any stock should for the future ever again be raised to set on foot the said fishing, out of the voluntary contribution of ordinary and private persons.

XIII. That these things being thus truly stated, these deductions following seem necessarily consequent:

1. That it is altogether in vain ever to expect any advantage from the said fishing unless some course can rationally be propounded, whereby we may set upon the said fishing, without that extraordinary preparation and charge which the Hollanders are necessarily put unto at present in it; nor without we can be able to make the said fish cheaper than the Hollander now does in the way wherein he is; nor unless we

can be able to under-sell him something in it, without any considerable loss to ourselves, nor, without we can also hope (upon such grounds and inductions as are reasonable,) that we shall be able to go to market with the said fish before him.

2. That the setting also upon the said fishery seems wholly unpractical, if not impossible, unless such a stock may be raised and found out for it, that shall not be dependent upon the subscriptions, or pleasures, of any private persons; and that shall nevertheless be not only sufficient to begin it, but sufficient also, by being applied constantly to it, by degrees to promote it: And may be sufficient also, in time, with the blessing of God upon it, both to defend it, and protect it; and therefore to bear the hazard of such extraordinary casualties in it, which is not to be expected can, or ever will be borne by the fortune of private persons.

3. That the said fishing being so great an interest of state as it is in Holland, it can never increase therefore, with any success in these kingdoms, but it must expect to meet with many indignities, discouragements, and affronts to be put upon it, from our neighbours, in order to hinder it; and therefore, it can never be so far pursued in England, as to arrive to any visible head, and much less attain to any manner of growth or completion, without the express authority of the government to countenance it, and without the thorough resolution of his majesty to defend it, and protect it, in the just and merchantable methods of it.

XIV. Which foundations, as those which are the main and principal ones being now premised, for the full, clear, and entire settling of the whole affair of the fishery, these particulars following are therefore, in all humbleness, supposed to be requisite.

1. The signal and express countenance of his majesty in it, with the publick authority of parliament.

2. A correspondency through his majesty's special favour, assistance, and grace, with the government and subjects of his majesty's kingdoms of Scotland and Ireland.

3. An exact method for pursuing of the said fishery, in such manner as may not only be easy, feasible, and practical, but as secure, and free from all hazards, as we can rationally or morally propound things to be.

4. Such a different manner and order of catching, curing, and saving the said fish, as shall be every way more cheap, than that which the Hollander is in the present practice of, and such as may be soon expedited and dispatched also, as that the foreign markets of the Hollander shall be generally always anticipated by our shipping.

5. Such a body of instructions therefore, as shall be sufficient to give light into each particular that may rationally be supposed to be of moment, with reference to the whole affair of the said fishing.

6. A select choice of such persons, as a council or directors of the said fishing (not exceeding seven) as may not only be of integrity, but of sufficient ability to manage all things tending to the promoting of the said fishery, pursuant to the said method and instructions that shall be propounded: And consequently, such persons as are skilled in the practical part of the trade of the said fishing.

7. That the said council or directors have the same powers and authorities given them, as have been usually heretofore granted to such councils as have been appointed for the Royal Fishing, together with such other powers as to the wisdom of his majesty shall be thought fit: And that the said powers and authorities be confirmed by act of parliament. And,

8. That grand commissioners be also appointed, for the chief over-sight of the said fishing, consisting of the principal officers of state, and of so many others, as to the wisdom of his majesty and of the parliament shall be thought fit.

9. That the said grand commissioners have full power to call the said council or directors of the said fishery to an account, once every half year; and to see, by the entries of their journal, letters, orders, and instructions, what progress they do from time

to time make in the said business, to the end that his majesty may have a perfect account of it, and their faithfulness or negligence in it ; and of whatever accident may at any time happen to impede it, protract it, or discourage it.

10. That to this end, duplicates of the said council's journal, books of letters and instructions, be constantly transcribed, not only for the use of the said grand commissioners, but that they may be the better preserved, and remain upon record.

11. That the said grand commissioners may have power, with the leave of his majesty, to propound some præmium as an extraordinary reward from his majesty, to encourage the diligence of the said directors ; which præmium, therefore, is to be only out of the clear gain that shall be made of the said trade, through the prudent and faithful management and conduct of the said directors : And shall be therefore such a part of the said clear gain only as to his majesty's wisdom shall be thought fit.

12. That the said grand commissioners have further power, with the consent of his majesty, to give directions in all such cases of difficulty, as shall at any time arise about the said fishery. As also to hear and determine all such other debates relating to the said affair, as the said directors may be doubtful in, or may not be able to agree amongst themselves fully about.

13. That if upon the good success and blessing of God upon the said fishery, any of the nobility, gentry, or other private persons, shall desire to incorporate themselves, for the further assistance and carrying on of the said design, and for the making the trade of the said fishing the more completely a publick and national concern ; or if the said directors shall find it for the service of his majesty, and of absolute necessity for the promoting of the said fishing, to take into association any of his majesty's subjects of Scotland, or of Ireland, with reference to the fishing of either of the said kingdoms ; in either of these cases, such a method is to be set down by the said directors for the manner of it, as is to be wholly approved by his majesty and the said grand commissioners.

14. That such a fund or stock, that may be both annual and certain, be, by the special grace and favour of his majesty, granted and assigned, for the undertaking and carrying on the said fishing ; and not only for the increase, but for the better protection and defence of it, and for the defraying the salaries and contingencies of such as shall be appointed the immediate directors of it.

15. That for the better preventing either any impediment or interruption that may be endeavoured to be given by any, at any time hereafter, in or about the said fishing, it is further humbly propounded, that the application of the said fund or stock entirely for the carrying on of the said fishing, and for the ends now mentioned, may be settled by act of parliament ; together with so many of these proposals, or of such others, as shall be thought fit to be allowed or approved by his majesty.

16. For the greater encouragement of the said fishing, and as a particular mark of the parliament's approbation of it, and of their desire to promote it, it is further humbly propounded, that all such persons as shall subscribe a stock towards the advancement of the said fishing, and all such others as shall be any ways employed for, or in the managing of it, or for pursuing such instructions and directions about it, as shall any way be derived from his majesty's authority in it, shall be expressly declared to be taken into protection by the government, whether they be natives of his majesty's dominions, or whether they be foreigners ; together with all such ships, busses, boats, and all other vessels or craft whatsoever, that shall be employed by any of the persons so associated in the said fishing, or by any deriving authority from his majesty in it : And likewise, that all ships and vessels which shall be built or bought by the stock appointed for the said fishing, or by any that shall further subscribe to it, or be associated with it, shall be exempted from paying duty, custom, or impost, for the fish which they shall export : Or for whatsoever salt, barrel-staves, net-yarn, flax or hemp, for making

the said net-yarn, which they shall import for the said fishing, during such times as to the wisdom of his majesty and the parliament shall be thought fit.

17. That for the greater encouragement of merchants, and others of wisdom, knowledge, and experience, to subscribe towards the carrying on the said fishery, and for the better making the said undertaking the general concern of this nation, it is further humbly propounded, that all such losses as shall proceed from the mere casualty of the seas by storms or shipwrecks; and all such losses as shall happen through any injury or violence that shall be offered us by any of the subjects of the neighbouring princes or states about us, shall be so far borne and eased out of the said public stock (which shall be designed towards it) as to the wisdom of his majesty and of the parliament shall be thought fit.

18. That for the farther encouragement of all sort of persons to subscribe to the said fishing, and for encouraging all persons of quality the more to make the said undertaking the general concern of this nation, it is likewise humbly propounded, that as ample privileges may be given, by his majesty and the parliament, to all such persons as shall be incorporated in the said fishing stock, as have been of late granted by the act of parliament in Scotland, for the general undertaking of the said fishing in that kingdom.

XV. And in regard not only the valuableness, but the entire practicableness of all these proposals, doth wholly depend upon the finding out such a fund or stock as is herein mentioned; and upon clearing the feasibility of carrying on the said fishing, in a way of more advantage than the Hollander is in at present, and forming such instructions as are propounded: Wherefore, in order to the compassing both the said ends, as such a method or practice is herewith humbly tendered, and such a body of instructions for pursuing the said fishing, as may be answerable to the ends which are now laid down, and to the advantages herein mentioned; so there are some gentlemen who, out of their affection to his majesty's service, and out of the great sense they have how much the gaining of the said fishing doth import and concern this nation, have digested some proposals to tender to his majesty, about the præ-emption of salt, with such a moderate duty upon it, as may be neither grievous to the nation, nor burthensome to the manufacture of it. By the benefit of which præ-emption alone, nevertheless, it is hoped, that about twenty thousand pounds sterling per year, or more, may be easily raised, as a fund or stock, that may not only give a beginning to the said fishing, but by a constant application to it, may by degrees increase it, and in time be able to perfect it; and may, if the blessing of God give success to it, encourage divers others of the nation to contribute both their estates and advice for the further help of it; so as, as it is hoped, nothing will be wanting, that may conduce to the compleating our desire and design, of undermining the Hollander in the present possession he hath of the said fishing; which, as it is the main and principal scope of this paper, so of the discourse hereunto annexed.

XVI. That both the said discourses, and the said proposals, about the præ-emption of salt, have the rather been tendered at this season, in regard of the present treaty which his majesty is in with Holland; and that, considering how much his majesty and his subjects have suffered from that nation, it is hoped, that nothing, in this conjuncture of affairs, will prove more grateful to the parliament, or more obliging to the nation itself; and therefore, that nothing may be more for his majesty's present service.

XVII. That by how much the more plainly and obviously it doth appear, that the promoting of the fishery is for the necessary good and interest of this nation; and by how much the more highly grateful and obliging it must needs be, to see such a foundation laid, as may, in probability, every way tend to the exceeding greatness of it, by so much the more injurious and distasteful it must justly render the Dutch to the ge-

nerality of this nation, if they either wrongfully disturb us in it, or if they shall endeavour by violence to force us from it.

XVIII. This proposal is the rather presented at this season, that upon this occasion the ancient rights of his majesty, and the known customs of this kingdom, may be farther examined and enquired into, viz. For the granting not only a guard and protection, but express licence to all fishers whatsoever, for fishing in any part of the seas, from the west of England even unto Scotland; and for the demanding a duty upon all fish so caught in any part of the said seas, towards defraying the charge of the said guard and protection, not only from the subjects belonging unto France, but from the subjects belonging to the duke of Burgundy, and the dukes of Britany; and that if the said custom of giving licence and protection to all fishers be found to be the undoubted right of his majesty, and of this kingdom, the said custom may receive such farther sanction, assertion, and confirmation from his majesty, and from the parliament, as to the wisdom of his majesty, and of the parliament, shall at this juncture of time be judged most convenient.

XIX. Lastly, this proposal is the rather tendered, because, notwithstanding the extraordinary gain which the Hollander doth continually reap from our own seas by the said fishing; and notwithstanding the many laws which he hath made for the encouraging, regulating, and promoting his own fishing [which are about thirty;] and notwithstanding the several affronts that have been offered, both in Scotland and in our own channel, by their fishers; and notwithstanding that both his majesty's father and his majesty's grandfather have been constrained, by their respective proclamations, to vindicate their rights against the insolencies of the said Dutch, both to the said seas, and to the said fishing; yet no parliament of England hath hitherto either made any law purposely or principally for increasing the said fishing; or hath ever raised or appointed any stock towards it; or hath erected any council about it; or hath encouraged the nation itself to undertake it; or hath warranted them their protection in it.

V. In the next place shall be super-added a few pages of a treatise, written by Mr Andrew Yarranton (entitled *The Second Part of England's Improvement by Sea and Land*) who, upon much travel and observation, (among other things) thought fit to give his furtherance and advice towards the undertaking and management of the fishery: Evincing how we may outdo our neighbours therein; [which may serve by way of answer to their objection, who would have us believe, that we cannot do it to the like advantage, and at lower charge, &c.] which is transcribed in his own words, as followeth, viz.

So prodigiously rich is the fishing trade, and so plainly the right of the King of England, that with good reason is our negligence taken notice of by all Europe, and our prudence questioned by it, that we keep so little a share of it to ourselves as we do, and let our neighbours grow great and haughty, by the peaceable and full enjoyment of that considerable trade. 'Twas a most unlucky piece of goodness, that some of our former princes ever suffered a foreign buss to visit the English coasts: The tributes and acknowledgments were paid them then, in return of that favour. And most unlucky still it was, that the said calamitous times, in the reign of King Charles I. prevented his resolution of correcting the Dutch, and keeping the wealth of the seas to his own people: And that the civil wars, some time after, gave occasion to the Hollanders to fix themselves in that trade; and 'tis now a difficult matter (by force) to dispossess them of it.

This only trade hath been the occasion of their present greatness. This hath given them their mighty numbers of seamen, their vast fleets of ships, and a foundation of all their other trades: But they could not so easily have engrossed the fishery to themselves (notwithstanding those opportunities they have had of advancing themselves,

whilst we have not had leisure to look abroad) if at other times we had used a due prudence to withdraw it from them.

We have endeavoured, with force, and a prodigious expence of treasure and blood, to bring down their hearts, and level their trades: And had they dared to meet us in open sea, no doubt we had done their business, and our own; but they are too wise to do so, without all the advantage in the world, and therefore have commonly so managed themselves by standing on the defensive part, by prolonging a war, by retiring within their sands, and natural defences of their seas, that we have been hardly able, at any time, to do any thing considerable upon them; never to vindicate the fishery to ourselves, nor indeed to bring them to their acknowledgment for that privilege.

We have endeavoured otherwise also to raise our fishery, and depress theirs; as, by raising joint stocks for the buying busses and nets, and all other necessities for so great an affair; and by making companies, and gathering large sums of money, to be employed in the same manner. But all these industrious attempts have had ill success, and have ended in nought but a visible loss to the undertakers, and reproach to the nation.

How there should be these miscarriages, it may seem wonderful to most men, when the fish are on our own coasts, when we have had good harbours, and the whole nation praying for the prosperity of the undertaking; and if you read all the books that have been wrote on this subject of the fishery, you shall not find one give the reason of our failures.

You shall find them plentiful in setting forth the great riches attending thereon; the mighty increase of seamen; the constant employ of the poor, and the enlargement of their several trades; not one word of the grounds of our ill success, or of the reasons of the prosperity of the Dutch, or of the remedies to be made use of by us to recover our loss and credit. Alas! without these last enquiries, what signify the first, but to raise our grief and torment, when we know the advantages of the fishery, but cannot attain to them? Methinks, if they had not been very ingenious and prudent men, which had passed by these enquiries, I could presently be satisfied, that I could give a resolution to them; nor do I nevertheless despair that I can: For the things are so evident to myself, that I cannot doubt but they will be so to all others also.

What then is the reason, why our English fishery is unprosperous, and the Dutch successful?

'Tis, in short, that we fish intolerably dear, and they exceeding cheap.

What also, if this inconveniency of ours might be removed, by being taught to fish cheaper than the Dutch possibly can? For it is not to be doubted, but as cheapness is one of the most essential parts of trade, and as he that can sell a commodity cheapest, shall certainly have the trade of that commodity; so, because the Dutch fish cheaper than we now, and therefore can sell cheaper, they therefore consequently have the trade of the fishery; and by the same reason, when we are able to fish cheaper than they, we shall carry away the fishing trade from them also: For the trade must necessarily be there where 'tis carried on cheapest. No other reason can there possibly be why the Dutch should get the fishery to themselves.

If you say, the regularity of their trade, or their industry, may effect this, and deny that they fish cheaper, you may easily be answered, as to the two first parts of your assertion; for they are both resolved into cheapness. Industry promotes cheapness, and so does regularity; both of them are but promoters of that which I have told you is the supporter of the Dutch trade: And as to the latter part of the assertion, you must be convinced by fact.

I will therefore shew you, *First*, How the Dutch manage their fishery to the best advantage.

Secondly, In what chargeable ways the English proceed in the fishery. And then at last,

Thirdly, I will endeavour to shew you how the defects of our English fishery may be removed, and made cheaper than it is with the Dutch.

As to the Management of the Fishery to the best Advantage by the Hollanders.

The great trade of building busses, making nets, and doing all other things which are convenient for the fishing trade, is at Enecusen upon the South Sea, and at several places adjoining; so that all the conveniences for that trade lying near together, it is carried on with the greater expediteness and cheapness. It is not in the power of any man to run the prices of things high, where there is a mighty number of the same profession about him, who all of them work with the greatest diligence that can be, that they may not be undersold by another.

In other places, (where two or three only of the same trade reside) they very often presume upon the necessity of the neighbouring countries dealing with them, and therefore live profusely, and demand intolerable prices for their commodities; which (according to their way of living) they cannot afford cheaper. Here is no ground for such an extravagancy; you must live moderately, and sell cheap, or you cannot drive a trade in these parts.

What promotes especially the building their busses as cheap as they do, but their good husbandry, in always being provided with timber, fitted to all dimensions? So that they can no sooner resolve on building a buss, but the timber is instantly laid out for its foundation and bones, and with mighty expedition the buss is raised.

And now the buss is raised, what can they do less than take care to preserve it from all storms and bruises, whilst it lies at home in harbour? And therefore they have cut rivers and channels for its quiet repose, which requires not the charge either of cable or anchor, or of any person to look to it, when not employed in fishing. These are great advantages; but see what mighty ones follow. The busses and nets, and the tackling belonging thereto, are always to the owners sufficient credit to take up ready money, either to be employed in the voyage, or to buy salt or victuals, or for any other necessary occasions; and the title to the buss never so much as questionable, she being always under a register: A thing of no small importance to all persons therein concerned, were it well considered. For thereby all men whatsoever are made capable with swiftness to run their money into the fishing-trade, and buying a part of, or the whole buss. And since there is such security, what! Should the money lay rusting in the bags? No, it is not so; it tumbles out into trade immediately; the owner either willingly running the hazard himself, or letting it at three in the hundred interest; nay, sometimes for two, the fisherman hath enough to serve his occasions. An unspeakable benefit is this to him, and a prodigious advancement to the trade in general.

But, oh! this trade is so sweet, (see the care and diligence of the States about it) no less than forty placarts made by them, for the curing and well ordering of the herrings, as the season of the year shall require. What quick dispatches has the fishery in all its affairs, whenever it comes before the body of the States: They give them all sufficient guards, whilst they are laboriously drawing up into their ships the riches of the sea; and permit the fishers to end all their differences by men of their own trade, that it may be concluded with quickness and small charge. So great are all these advantages of the fishery, that one would think that one need not have another; and yet they have a considerable one: They make salt upon salt with Portugal salt and seawater mixed together; and by this means they have this commodity cheap, which is

used so considerably in the fishery; and under these beneficial circumstances is the fishery of Holland (at all times) managed.

I do not intend here to speak of their benefits and returns in the fishing-trade by the vast exchange and barter which they make with their fish for other commodities, in most parts of the world. It is enough for my purpose, that I have given you the several conveniences that do attend them, until their fish (caught and cured) be brought into their harbours.

But now, let us see how blessedly the English fishery is managed. We are likely indeed to keep pace with the Dutch in that trade, when it is carried on so, as if we had studied to make it as chargeable as it could be.

The building of busses is hardly known by us; or, where it is known, it is a mighty charge above what the Dutch build at; such bad husbands are we in providing stores of timber, and sorting it out for all the dimensions of our buss: Besides, our timber costs us more (though we have it off our own soil) than it doth the Hollander, that fetches every plank of it from Germany or other remote places.

Our nets, and all our tackle, convenient for the fishery, are not here to be had, but at much greater rates than what the Dutch pay for them; and if they chance to want mending at any time, it is impossible; as matters go with us now, we cannot, with speed enough, have them done here, but must be forced to send them over to Enecusen, in Holland, to have them mended, with greater expedition and cheapness.

And now perhaps the fishing time is over, and the buss is brought into harbour, (not into cuts or channels for that purpose) but she must have anchor and cable to keep her to her station: She continually suffers the unkindness of frequent tides: And here only is the care of our busses eminent, that we provide men to look to them, and are even expensive, rather than suffer them to lie alone: So great is our negligence, and so small is our policy!

But we even outdo ourselves in the concern of salt; our folly, even in this alone, is sufficient to ruin the fishing-design; for we have no salt-works wholly applicable to, and at the command of our fishery, and therefore we expose it to all the uncertainties in the world: Let but a war fall out between us and some potent prince or state, and presently salt rises to such excessive rates, that the fishery cannot be carried on while it continues so: Trade cannot endure such a mighty inconvenience, and is impatient of staying any where, but where it may be even and clever.

Well, the fisherman has need of a little money, to mend or buy some nets, or some provisions for his voyage; let us see after what fashion he will be furnished: The property of his buss is not so certain as to take up money upon it, nor draw in a partner. If the poor man would any ways procure a supply, he must bring his sureties, and pay at least six in the hundred, and let him be sure to observe the very minute of payment, or he will be swung unconscionably by his creditor. But, perhaps, he cannot get security, and then his voyage is hindered, and nobody has the benefit of his disappointment but the Dutch, and his wife, who, by this means, has his company the longer. I need not declare any other disadvantages of the English fishery, as a long process of law upon controversies, few or no directions for its management from public authority, and persons employed therein many times very unfitting for that business.

What I have already shewn, is enough to convince any man that we manage our fishery basely, and at a vast expence, in comparison of the Dutch, and that we are deficient of the encouragements that they enjoy.

I should now proceed to the redress of these mischiefs, but I must first vent my sorrow, and lament awhile, that we have thus long lain under these inconveniences, to the utter suppressing this trade, which would have given the nation a mighty strength and treasure; which would have employed thousands of poor people, who heretofore,

and now, want bread to maintain them for want of work ; and to the raising some of our neighbours (as well Hansmen as Dutch, though I have not named them) to great riches ; to a power and impudence of confronting ourselves, and maintaining their insolence by that very strength which our remissness and negligence has given them.

I come at last to shew how these miscarriages may be retrieved ; how we may gain the fishery to ourselves, and exclude the Dutch who have enjoyed it so long already : And certainly this can never be done, but by putting ourselves in a way to sell the commodity cheaper than they. I would have said also, we ought to sell our fish as well-conditioned as they, but that it is plain, goodness is included in cheapness ; for I may sell a commodity not cheaper than another, though I sell it at a lower price, if the commodity be not comparable to his in goodness.

This thing, cheapness, is, as before I have said, the great controul of all trade ; and is, as it were, the waiting-gentlewoman to trade, who must be obtained before ever 'tis possible to gain the mistress. This is so clear, that I need not recount the common instances of its effects over all the world : By this means empories have been shuffled from one place to another ; and it hath been the common artifice of such as have desired to engross the trade of their neighbours, to act by such methods.

I will go on, therefore, and endeavour to inform you, how this cheapness may be introduced ; and, in order to it, will use this method.

First, To shew you, how, and where sufficient iron and timber may be had to build busses, and how it may be contrived, that we may build them cheaper than the Dutch.

Secondly, To recommend a place to you, where we may have cuts and channels, and all other conveniences for the receiving in of busses, as well as they in Holland.

Thirdly, Propose where a convenient sea-city may be built for those that are employed in the fishery, to inhabit in, and how it may be conveniently erected.

Fourthly, To shew you, that we have so great a conveniency for the making of salt, that we may, at all times, afford it much cheaper than the Dutch can ; and that this salt will be much better for curing fish, than any that is now extant. And,

Fifthly, Offer some reasons, for the allowing certain privileges to the sea-city, and the inhabitants thereof, for their encouragement and trading cheap.

As to the first Proposal of making Busses cheap.

In many places of Ireland, timber lies wasting and decaying for want of money to make the ways passable to some rivers, and the making such rivers navigable, for the bringing down timber for its exportation ; so that, at present, the timber is of little or no advantage to the owners, or the public : And this is so, more especially in the county of Wexford, near the river Slane. There is a wood, with prodigious quantities of timber, which may be brought to a convenient place upon the said river, for eight shillings the ton, or load ; there all the timber and beams of the buss may be fixed, and then she may be taken off the stocks, and the river (with four or five thousand pounds charge) may be made sufficiently useful for that purpose : Then she may be conveyed towards the sea by several flashes, from place to place, till you come to Eniscorthy or Scara-walsh, where she may be fitted up and finished. In like manner may all sorts of timber be conveyed down the Slane for exportation.

As to what iron is necessary towards the building of busses, it may be made upon this river, with the vast timber that now lies rotting, and the offal of such timber as shall be used in the building of busses ; and of the forest of Dean cinders and iron-stone, which metal makes the best iron in the world, except what is made of iron-

stone, dug out of the clay-hill near Ludlow in Shropshire : And the price of this iron, so made, will not be above nine pounds the ton, in the bar, and eleven pounds drawn out into bolts, as it is in Germany, for the use of the Dutch in building their shipping.

For your better satisfaction, take here the rates of making one ton of iron, fifteen miles upon the Slane.

Of iron-stone and cinders, carried out of the forest of Dean, by sea, to Wexford, and so unto the place where it is to be converted to iron; two tons of cinders, and one ton of iron-stone (which three ton of mine will make one ton of iron) delivered in Weymouth, will cost	l.	s.	d.
	0	18	0

The carriage of three ton of iron-stone and cinders from Weymouth to Wexford,	2	0	0
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The carriage of three ton from Wexford to the place intended for the furnace,	0	12	0
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Two loads and half of charcoal, to make one ton of sow-iron, at 8s. per load,	1	0	0
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Founders wages for making one ton of sow-iron,	0	4	0
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So the ton of sow-iron made in the place will be	4	14	0
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Two thousand seven hundred of sow-iron will make one ton of bar-iron, whereof the charges of making one ton of bar-iron will be	6	8	6
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For making one ton of bar-iron to the finery, or hammer-man,	1	0	0
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Three load of charcoal to make one ton of bar-iron, at 8s. per load,	1	4	0
--	---	---	---

All which makes the ton of bar-iron delivered in the place,	8	12	6
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For drawing one ton of iron into bolts the German way,	2	0	0
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So the charge of iron drawn, into bars, is 8l. 12s. 6d. and in bolts, 2l. in all	10	12	6
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And that which will contribute much to the cheapness of working iron into divers and various commodities is, that within twelve miles of the place, fit and convenient for this design of building busses, there is the best and durablest pit-coals fit for smiths that ever yet I saw; it is called Kilkenny coals. Here are therefore redundant advantages, besides the promotion of the cheapness of building busses, that the trade of working iron into commodities may be highly advanced: so that, in that also, we may outdo and undersell our neighbours.

But to come narrowly to the consideration of what I have said in relation to busses; timber is, by that means, to be had at the third penny the Dutch now pay for theirs, which they are forced to fetch out of Germany, and iron at two-thirds the Dutch now pay for theirs.

When the buss is building, we shall have advantages also; for provisions may be had for the workmen at two-thirds of what it costs the Dutch: And certainly, all this considered together, there will be no small assistance found out, for procuring cheapness in our fishery and underselling the Hollanders.

Yet, to set out and compleat the buss, there are still wanting pitch, tar, and masts, which may be brought with as little charge to the place proposed, for erecting busses, betwixt Scotland and Ireland, as it is now to Holland. Rope and canvass (if we please) may be also procured as cheap as by them.

And now the buss is fitted out, let her be laded with all sorts of timber, ready prepared for shipping, as also with iron-bolts, trindle-pins, and planks to be carried to the new sea-city, hereafter mentioned, to be used either for building or repairing other fishing-busses; or for occasions in shipping or building.

I am ready to justify the cheap building of busses, I have here proposed, to any man whatsoever that denies it. Nor am I stinted up only to the woods upon the river Slane; for there are several other woods in Ireland, that lie very conveniently, and may be almost as useful as those. So that, upon the whole, I dare aver, that Ireland may be made as beneficial, or more, to England, than Norway is to the Dane; if matters were but fitly applied, and the cheapness it would give us in trade, taken hold of.

For Places to be made to hold the Busses when not employed Abroad, and thereby to save all that needless Expence we are at present at, to preserve the Busses from the Damage they commonly receive, when they lie in our great Rivers; and thereby to make our Husbandry as great as it is with the Dutch.

Certainly there cannot be a greater conveniency than is in the Isle of Dogs, or Blackwall-level, an isle seated in the Thames, (one of the best rivers in the world) just over-against Greenwich. This level lies so low within its banks, that the Thames, at high water, rises five or six feet above its surface: By which means, the channels may, with very little charge, be cut, the earth not being to be carried away, but thrown up to raise a bank, for making the channels sufficient to keep in the tide. If the channels be cut six feet deep, the water will be eleven feet deep in them; so that any buss fully laded, there will be water sufficient for to swim in and out.

And upon the banks of these cuts may be built the sea-city, before proposed for the conveniency of fishermen, and others concerned in the fishery; and then the buss may be laid up just under (or before) the fisherman's house; and the water (bye-locks) may be kept back at the re-flowing of the tide, for the more convenient and quiet living of the buss: Here will be no need of anchor or cable, or man to look after the buss.

Here also may be made all manner of ropes and nets for the use of the fishery; and here may be made docks convenient to build ships and busses, and yards, to receive in all things that may be wanting, for the equipping of the buss.

And that the building such a city is necessary for the carrying on so great a design, we may consider how easily a new undertaking is destroyed in the beginning, without all the encouragements and helps in the world that may be afforded.

This hath been apparent in the setting up all manufactures whatsoever, and from whence it has been a common policy to settle a staple in some certain town, where it is best to be regulated by the members of the trade living together. And this cohabitation has been a frequent cause of industry, and great improvements: One man advancing the husbandry and invention of another; it has prevented cheats and cozenages, and extravagant prices: For every man is cautious that he deals honestly, and sells at a moderate price, when he knows he shall be otherwise supplanted in his trade, by his more honest neighbour: But how much does it concern us to provide these conveniences for the advancement of the fishery, when we shall not be able to make any thing of it, unless we are able to undersell the Dutch, (a vigilant and industrious people, already fixed in that trade) who know their support and being depends upon it; and therefore will, by all means whatsoever, endeavour to ruin the enterprize?

Next comes the Consideration of Salt.

It has been for many years disputable in Holland, what salt is best for curing the herrings; and what sorts of salt are fittest to be used in the several fishing seasons. And there hath been much labour and practical experience used, to bring the salt to such perfection as it is now with them. But, notwithstanding all their practice and enquiry, there are many good arguments to be produced, which may prove, that great part of the salt now used in curing their fish, is not so good as the world takes it to be.

I am not at present for controversies; but I dare affirm, and shall be ready at any time to make it appear, that there is in England salt brine running at waste, of such noble and good quality, that if it were made and converted into good sizeable salt, fit for salting herrings, it would surpass any salt that is now extant; and make the herrings that are salted therewith bring at all markets more money by the barrel, than twice the value of such salt, as will be used in salting such herrings shall come to.

This is a rare salt indeed, and removes not only those mischiefs, which, at present (in the fishery) have relation to salt, but seems, in a mighty measure, to promise us the fishing trade.

Salt was a charge before to us, but now it will be the occasion of a greater gain; affording us upon the return, by the sale of the fish, double its charge and worth: And it will be much better for us to use salt thus, than if fish could be cured without salt, and sold at the price it is now at. Whilst this advantage is enjoyed by us, still must the Dutch be at the same expence for their salt: They must first fetch their salt from France or Portugal; and if they make salt upon salt, they must fetch their brine from sea to mix with Portugal salt: This is toilsome and chargeable; but ours will come at much lower rates. It may be delivered in Cornwall for salting the pilchards, and at the Dogger-sands for salting herrings, even at twelve-pence the bushel: For the salt brine lies so conveniently, that it may be conveyed in pipes to a place plentiful of coals, and joining to a great navigable river, by which a ship of fifty tons may come to it.

A sample of this salt shall be at Mr Man's coffee-house, at Charing-Cross; at Jonathan's coffee-house in Exchange-Alley, and at Richard's at Temple-Bar; where some persons of honour will attest the truth of the discovery, and of the quantity that may at all times be had. And how can we now fear (if what I have said be true) but that the fishery must certainly be ours? We shall have cheaper timber, cheaper iron by far, than the Dutch; other things necessary for a buss as cheap as they; salt incomparably better, as convenient channels and better, being seated in the middle of a well-ordered town. But,

To these mighty advantages, how happy should we be, if one more were given us, viz. To have great privileges and immunities conferred upon the sea-faring city? As much may be said for this, and more than what was urged before, for a city's being granted. How can there be too great immunities given for the settling so great a design as the fishery? Great privileges will draw in numbers of inhabitants, from at home and abroad; does also cause cheapness, (the essential part of trade :) And indeed is as convenient for raising the fishing enterprize as any thing that can be named.

I therefore lastly humbly offer these Privileges may be granted the Fishing City:

I A freedom from taxes for a certain number of years.

II. Freedom from customs, for all goods that shall be used about the fishing-trade, and in making busses, &c.

III. That the houses in the city, and busses, may be put under a register, and so become transferable credit.

IV. That granaries and lumber-houses to take in corn, and pawns, by way of registry, may be allowed.

V. That naturalization may be allowed to all strangers and foreigners, and liberty of conscience, &c.

VI. That a fund be fixed for maintenance of all such as shall fall into want, who are employed in the fishing-trade, and did not break by their own knavery or negligence.

VII. That all differences betwixt party and party, relating to the fishing trade, may be ended by members of the said city and trade.

These privileges proposed for the fishing city, and what before I offered, the redress of the ill managements in our fishery, will, no doubt, answer the intended end. Nothing being amiss in our fishery, but a way is shown how it may be corrected; nothing good and commendable in the Dutch fishery, but a discovery is made how we may outdo and undersell them.

As I have ventured on the grounds and reasons of the fishing-trade, I doubt not but (if the parliament approve of my sentiments upon it) they will be willing to raise a small sum for the advancement of this vast design of the fishery: But it is strange, that a certain gentleman should advise the parliament (in print) to raise six hundred thousand pounds for this enterprize, without giving any reasons how the obstructions that make so noble a design ineffectual in the end might be removed.

VI. To draw towards a conclusion of this collection, take an abstract of the laws, &c. respecting the fishery-trade, and encouragement thereto, taken out of the last impression of the Collection of Acts of Tonnage and Poundage, and Book of Rates, *anno* 1689, (and other statutes) which being in most, or many merchants hands, they may examine the same, and find the contents of them more at large, in the several pages of the said book herein aftermentioned, viz.

Page 44. Under the head of Fish, it is noted, that all sorts of fish, English taken, and brought in English ships, ought to pay no custom as by the statute of 5 Eliz. Regin. cap. 5.

Page 115. By the act of 12 Car. II. Regis, entitled; An Act for encouraging and encreasing of Shipping and Navigation, That fish, fins, and oil, not made and cured by Englishmen, shall pay double strangers customs upon their importation.

Page 121. By the same act it is provided, this act shall not extend to lay aliens duties on salt made in Scotland; nor to any fish, caught, saved, and cured, by the people of Scotland, and imported directly in Scotch-built ships, &c.

Page 139. In the act of 12 Car. II. entitled, A Subsidy granted to the King of Tonnage and Poundage, &c. it is provided, that all manner of fish, English taken, and brought by English bottoms into this realm, and all manner of fresh fish and bestial that shall come into this realm, are excepted and foreprized.

Page 141. In the same act it is provided, that it shall and may be lawful, to all and every his majesty's subjects, at his and their will and pleasure, to convey and transport out of this realm, all and any kind of herrings, and other sea-fish, to be taken in the sea, by any the subjects aforesaid, from or out of any port or harbour of this realm, to any place out of your majesty's dominions, without paying any custom, subsidy, or poundage-money for the same herrings, or other fish, so carried and transported; any thing herein before contained to the contrary notwithstanding.

In an act passed *anno* 13 and 14 Car. II. Regis, cap. 24, entitled, An Act declaratory concerning Bankrupts, it is enacted, that no person or persons whatsoever, who have adventured or put in, or who hereafter shall adventure, or put in, any sum, or sums of money, in the East India Company, or Guinea Company, or into any joint stock or stocks of money, by them, or either of them, made or raised, or to be made and raised, for and towards the maintaining and carrying on the trade by the said East India Company, or Guinea Company, managed, or to be managed, or who have formerly, or shall hereafter adventure, or put in any sum, or sums of money, into any stock, or stocks of money, for the maintaining and carrying on of the fishing trade, or the trade now called Royal Fishing Trade, and shall receive, and take his or their part, or dividend of fish, goods, or merchandizes in specie, and shall sell, or exchange, the same, shall, for, or by reason only of such adventure of monies so put into the said East India Company, or Guinea Company, or into any stock, or stocks, for and towards the said fishing trade, or for, or by reason only of the receiving and taking such fish, goods, and merchandizes, in specie, or selling for money, or exchanging the same again, be ad-

judged, taken, esteemed, or reputed a merchant or trader, within any statute, or statutes for bankrupts, or be liable to the same, &c.

Page 165. In the act of 14 Car. II. Regis, entitled, An Act for preventing Frauds, &c. the king, by his commission, may appoint lawful keys, &c. for the shipping and lading of goods, and that no goods shall be laden or discharged, but at such lawful places: Fish taken by his majesty's subjects, bestials and salt only excepted.

Page 169. In the same act, pitch, tar, salt, rosin, deal-boards, fir, timber, &c. from the Netherlands, or Germany, are prohibited to be imported in any sort of ships whatsoever, on penalty of the loss of the said goods and ships, &c.

Page 175. In the same act it is provided, that it shall and may be lawful to export, from any his majesty's dominions, fish, into any parts of the Mediterranean-Sea, in any English ship or vessel whatsoever, provided that one moiety of her full lading be fish only. And in such case, to import any wares or merchandizes in the same ship for that voyage, without paying any other rates or duties of tonnage or poundage for the same, than were heretofore accustomed. And,

Page 176. That all salt imported from Scotland shall pay one half-penny for every gallon Winchester measure, at the lading thereof, to his majesty.

Page 194. In the act of 15 Car. II. Regis, entitled, An Act for Encouragement of Trade, it is provided, that it shall and may be lawful to ship and lade, &c. salt, for the fisheries of New-England and New-Foundland, &c. and the same to transport into any the lands and places therein named; any thing in the foregoing clause to the contrary in any wise notwithstanding.

Page 199. In the same act for the encouragement of herring fisheries, is this clause, viz. And for the encouragement of the herring and North-sea, Iceland, and Westmony fisheries, be it enacted, &c. that from and after the first day of August, 1664, no fresh herring, fresh cod, or haddock, coal-fish, or gull-fish, shall be imported into England, Wales, &c. but in English-built ships, or vessels, or in ships or vessels *bonâ fide* belonging to England, &c. and having certificates thereof, &c. and which hath been fished, caught, and taken in such ships or vessels, and not being bought or had of any strangers born, or out of any strangers bottoms, under pain of forfeiture of goods and vessels, &c.

Page 209. In the act of 18 Car. II. Regis, entitled, An Act against importing Cattle from Ireland, &c. for the better encouragement of the fishery of this kingdom, it is enacted, that if any ling, herring, cod, or pilchard, fresh or salted, dried or bloated, or any salmon, eels or congers, taken by any foreigners, &c. shall be imported, uttered, sold, or exposed to sale in this kingdom, the same shall be seized, sold, &c.

Page 245. In the act of 25 Car. II. Regis, entitled, An Act for the Encouragement of the Greenland and Eastland Trade, and for the better securing the Plantation Trade, liberty is given for all persons to trade thither, and to import into this kingdom, all sorts of oil, blubber, and fins, &c. and to use and exercise all other trade, to and from those parts, without paying any custom or duty, for any such goods brought in by any English or Welch vessels: But if by any shipping of the king's colonies and plantations, then to pay the several rates mentioned in this act, &c. and the English who are to have the benefit of this act, must proceed from England to Greenland.

Page 249. In the same last before-mentioned act, it is also enacted, for the encouragement of the Eastland trade, that all persons shall have free liberty to trade into and from Sweden, Denmark, and Norway, &c. any thing in the charter of the governor, &c. or any other charter, grant, act, &c. to the contrary notwithstanding; and that any persons of this realm, that shall desire it, may be admitted into the said fellowship of merchants of Eastland, paying for his admission forty shillings, and no more.

Page 255. In the act passed *anno primo Regni Jac. II.* entitled, An Act for the Settling the Revenue on his Majesty for Life, was settled on his said late majesty for his life, &c.

Also, in the act passed *anno* 5 and 6 W. and M. (whereby it is enacted, that from and after the 25th day of March, 1694, there shall be paid to their majesties, until the 17th day of May, 1697, and no longer, for salt, the rates and duties therein mentioned) it is provided, that for all such fish therein after-mentioned, as shall be exported from any port or place in England, Wales, and Berwick, into any parts beyond the seas, shall be repaid to the exporter, these rates following, viz.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
For every vessel of pilchards, containing fifty gallons, - - - - -	0	12	0
For every barrel of white herrings, - - - - -	0	2	6
For every barrel of red herrings, - - - - -	0	2	0
For every barrel of salmon, - - - - -	0	5	0
For every hundred of cod-fish, ling, conger, or hake, - - - - -	0	15	0

And so proportionably for a greater or smaller number or quantity ; which shall be paid by the officer appointed to collect the duties upon salt, payable by the said act : And, if the officer have not money in hand to pay the same, then, upon his certificate, the principal commissioners of excise shall pay it ; and if the officer refuse to pay or give such certificate, he shall forfeit double the sum ; [as by the said act, relation being thereunto had, for the better certainty thereof, it doth, and may more fully and at large appear.]

To all which premises, for the further encouragement of persons to become subscribers and engagers in this fishery affair, it is thought meet to conclude with the abstract of a paper (come to the collector's hands) which contains the substance of the things before written, under the title of *Some preliminary Considerations and Advertisements, &c.* viz.

The advantages thereof may have demonstration and evidence, by the great power and wealth which our neighbours have arrived unto thereby, in multitudes of ships and seamen employed therein ; and publick revenues, and private advantages of their merchants, by and with the commodities and monies returned, for the fish they take ; whereas, we have not one ship of war built or maintained thereby, nor mariners bred up (or very few, comparatively, of equal skill, hardiness, or strength, for labour or service) nor trade by fish considerable, but buy, and are supplied by our neighbours, at so dear rates, as none but persons of great estates can eat fish with us. And, moreover, consume and spend our coin abroad, for the necessities relating to our manufactures ; which, by the setting up this trade, would be prevented and increased : And also, our towns on the sea-coasts (destroyed or neglected, through the decay of the fishery and manufactures) might become re-edified and peopled. Our publick revenues would become augmented to a sufficiency of preserving the dominion of these seas : Our trade would be vastly spread, even to many unknown, or, at least, untraded parts : Our poor and idle people would be maintained, and their earnings in the manufactures, relating to the fishery, would enable them both to buy cloaths and victuals, and save the vast collections made every year for their maintenance in idleness and sloth. In short, we might hereby become the mart of all trade, and be furnished at all times with magazines and stores of all sorts, both for war and peace, for ourselves and all our neighbours ; being better situated for markets, than any other trading nation whatsoever ; which would multiply our silver and gold, and reduce it to its par, as in our most halcyon days.

Quest. If it be enquired, How shall this affair be disposed, so as to prevent former miscarriages and discouragements ?

Ans. 1. By a large stock for carrying on the same to the utmost extent it will bear.

2. By making a present entrance upon this trade, by the company, under the constitution, laws, and rules framed and fixed for that purpose.

3. By his majesty's and the parliament's further grants of aid, countenance, and protection.

Obj. If it be alledged, It is a time of war and hazard, should it be now undertaken?

Sol. 1. There are several things requisite to be prepared and provided; several manufactures relating to the trade to be erected, and persons to be trained up and employed therein for some time, before it can be actually engaged in (after some stock is provided) in which, the stock, as it comes in gradually, will be improved to the adventurers advantage, for their encouragement to begin the same; and, it may be hoped, the war will have an end.

2. There are several fishing places so situated, as that they may be made use of very profitably, without considerable, if any hazard, loss, or damage: For that some vessels will seldom need to lie or labour out of sight and protection of our own shores; whereby we may be enabled to furnish our home markets with fish at reasonable rates.

3. If some vessels should be lost, the stock being great, and managed by a corporation for a joint-account, the damage would scarce be felt, and soon recovered, in so gainful a trade.

4. A small convoy, or guard, on such coasts will secure them; which the letters-patents provide for.

Obj. If it be said, we cannot build our vessels, or sail them, nor manage our affairs to that advantage that our neighbours do.

Sol. Many such objections have been cast in, and probably will be revived, to discourage the undertaking, by amusing ignorant persons. But the error thereof is before evinced, by the collections aforesaid, to the full satisfaction of all that consider what is written; touching either the providing timber and other materials for building fishing-vessels; or the rates of buildings within his majesty's kingdoms and dominions; or the providing of salt, both better and cheaper; or the saving the duties imposed, both on the salt, and the exportation of the fish, &c. or the conveniences of our situation for exporting the same to countries that will take them off: And many other things observable out of what is collected as aforesaid. To which might have been added, an abstract of Sir Roger Le Strange's brief treatise to that purpose, entitled, *A Discourse of the Fishery*; briefly laying open, not only the Advantages and Facility of the Undertaking, but likewise the absolute Necessity of it, in order to the Well-being both of King and People, printed *anno* 1674. And,

Quest. If any be desirous to know, or have an estimate of the ordinary charge of building and equipping a fishing vessel of about seventy ton, for the first year of its setting out, and so afterwards for twenty years, in repairing and amending the same, and all its furniture; as also, what may be the annual profits thereof one year with another, &c.

Ans. None may presume on what depends on God's providence and blessing in the most prudent and diligent management of this affair, more than of any other maritime and merchantly adventures. But, computing the particulars of profit and loss, by others observations and experience, it may be reasonably expected, that the disburse of about one thousand pounds, in building, equipping, victualling, and wages of a fishing-vessel of about seventy ton, may produce cent. per annum. For so have very prying and experienced men in the fishing-trade computed: And such estimate thereof has been formerly presented to a committee of parliament, appointed to enquire about the fishery affair; and is evidenced, by a small treatise, called *Britain's Buss*, printed *anno* 1615, and re-printed *anno* 1630, setting forth the particulars.

But, supposing it to be but half so much, or one quarter, (*viz.* 25% per. cent. clear gains) 'twere sufficient encouragement and motive to incite all persons to be concerned therein by their subscriptions; and the rather, for that 'tis so essentially requisite to the strength, safety, wealth, and trade of these kingdoms; and therefore is worthy the most serious consideration and regard of all true-hearted Englishmen, of whatso-

ever characters and denominations amongst us ; and ought accordingly to be so managed, as all the people of these nations, who are able to contribute towards the stock thereof, may be admitted so to do ; and thereby become engaged in interest, to stand by, and defend the rights and privileges of these kingdoms, in the fishings aforesaid ; and not to be limited within the sole power and advantage of a few, the subscribers of the first stock (proposed for the entering upon this affair) exclusive of after-subscriptions, to as far as the trade and affairs thereof will bear and require.

In order whereunto, the Company of the Royal Fishery of England, incorporated as aforesaid, in prosecution of this great affair and design, have caused, as well the letters patents for their incorporation, as the constitutions, laws, and articles, terms or conditions of subscription, and bringing in persons into the said company, to be members of, or traders, or adventurers with them therein, to be fairly ingrossed and published in books, to be exposed and opened for subscriptions. As also, abstracts of them to be printed and published, in order to persons having the contents thereof before them for their consideration, before they do subscribe.

The present stock proposed by them is three hundred thousand pounds ; or one hundred and fifty thousand pounds (at least) to begin the same withal : 'Tis made payable at ten several quarterly payments ; and not any part thereof to be paid till thirty days, from and after notice or publication of the compleating the said subscriptions of the said first 150,000*l.* as by their publick advertisements may appear.

Out of all which, 'tis evident, that there is (1.) a legal foundation, viz. by letters patents, or charter from his late majesty King Charles II. (2.) A regular constitution and laws, for the management of the affairs of the company, so as may be both safe and easy ; unto which all the members of the company are to subscribe, for the conservation, observing, and keeping the same inviolably. And (3.) considerable encouragements to the subscribers of the said first 300,000*l.* not only by the re-imbusement of their tenth, by the subscribers of the next 300,000*l.* as aforesaid, which is proposed to be allowed for the first patentees, and such disbursements, losses, charges, and damages, as the members of the company have sustained, in the management and preserving the patent, &c. in being, to this time ; and other uses of the company, entrusted by the constitution, to be distributed by the trustees of the company ; but by three per cent. allowed to the subscribers of the first one hundred and fifty thousand pounds thereof, out of their three first quarterly payments, by equal proportions : All which, notwithstanding, is also to be made good unto the stock of the company, by and out of the said tenth part, proposed as aforesaid.

And to the end that persons in Scotland and Ireland, and the remote parts of England, might not be surprized or excluded the first subscriptions and benefits thereof, (if they should think fit to begin so early) the company, by their order of the third day of June last, deferred their taking subscriptions unto the third day of September following ; and resolved, that should have been the day of opening their books, for the said whole sum of 300,000*l.* And that they would speedily agree, and notify the place, or places, for doing thereof ; which having been notified, several worthy persons of the city of London and parts adjacent became engaged in subscriptions and promises, to the value of about 50,000*l.* (in case the books should be then opened for that purpose) whereupon the company thought meet to have their books opened accordingly for such value. But,

Upon further considerations, (as, namely, that most members of parliament, and others of the nobility and gentry, were out of town, and were not likely to come sooner than about the beginning of the next term, and that it was meet for the company to provide they should not be precluded of any advantages proposed to the subscribers of the first 300,000*l.*) the company therefore, by their further order of the 31st day of August last, thought fit, upon the subscriptions of the said 50,000*l.* to restrain any farther sub-

scriptions, or opening of their books for that purpose, until the fourth day of November next; and having in nine days time received subscriptions of the said 50,000*l*. they shut up their books accordingly; and have ordered the same should be published; and that they will no longer, than the said fourth day of November next, delay the subscriptions, that any persons shall think fit further to make, for raising the said stock, and settling their other affairs, relating to the management thereof. And, in the mean time, will live in hopes of the parliament's confirmation of, and additions to their privileges, herein before-mentioned, to have been formerly granted to the undertakers; whereunto they are encouraged, by the judgment of the parliament of this kingdom, declared in the preamble of an act, past in the fourteenth year of his late majesty King Charles II. cap. 28. wherein is this expression, viz.

The public Honour, Wealth, and Safety of this Realm, as well in the Maintenance of Trade, and Support of Navigation, as in many other Respects, doth in an high Degree depend upon the Improvement of the Fishery, &c.

Which may be thus paraphrased, viz. The fish of the British seas, and other his majesty's dominions, within the grant afore-specified (which costs us nothing but the taking) being added to our other useful and necessary products and manufactures, where-with these kingdoms and dominions are blessed beyond any other trading nations of the world, wherein also consists the honour of these islands, may be exported to double, yea treble the value of all necessary imports of merchandizes from other countries, and so must necessarily produce great wealth of all kinds, and particularly plenty of monies, for its balance. And the fishings train up multitudes of the hardiest and skilfullest seamen for our other navigations and defence: In the improvement whereof principally lies the safety and strength of these nations; and the situation of these islands being such, as may justly challenge to be the emporium, or mart of trade beyond all others, we shall not need to fear the vent of such surplusage of such imports, for ready monies of all countries who need them. And, if so, (not regarding the malicious and clandestine whisperings and backbitings of such as envy and bear ill-will to our nations, flourishing under our present government, and the ways and means proposed for the management of this affair, which they understand little of) let all the cordial promoters thereof be up and doing: And if our only strength fail us not, we may bid defiance in his name to all the might of Europe; which shall conclude this subject: With this brief advertisement of the collector hereof, touching the present state of these kingdoms, with respect to the present advance of our gold and other monies, above the common standard and denomination at which they are coined; viz. That the same is impoverishing and destructive to the trade, prosperity, and wealth of these nations. That yet the government may be eased of the burthen of our clipped monies, without charge or loss to the nation; yea, to the great enriching thereof, and so as may tend to the carrying on the fishery, the present war with the French, and all its tradings whatsoever, to the excess of profit and commodity before-mentioned; the methods and means of which he reserves to the further prosecution of what he hath heretofore humbly proposed.

A Chronological Account of the Life of Pythagoras, and of other famous Men, his Contemporaries : With an Epistle to the Rev. Dr Bentley, about Porphyry's and Jamblichus's Lives of Pythagoras. By the Right Rev. Father in God, William, Lord Bishop of Coventry and Lichfield. 1699.

The Rev. William Lloyd, successively Bishop of St Asaph, of Coventry and Lichfield, and finally of Worcester, was born in 1627, and at an advanced period of life, therefore, when he published the following learned work. He had been one of the seven bishops committed to the Tower in James II.'s time, and concurred very heartily in the Revolution. He was a zealous whig and a great scholar. In his later years he betook himself to interpreting the Revelations, and actually came to court to remonstrate with Queen Anne, and prove to her, from scripture prophecies, the danger of the change of ministry in the end of her reign. Harley answered him with learning of the same kind, to the bishop's great resentment and mortification. In a poem, called Faction Displayed, he is ridiculed in the following lines :—

Then old Mysterio shook his silver hairs,
Loaded with learning, prophecy, and years,
Whom factious zeal to fierce unchristian strife
Had hurried in the last extreme of life.
Strange dotage ! thus to sacrifice his ease,
When Nature whispers men to crown their days
With sweet retirement and religious peace.
Fore-knowledge struggled in his heaving breast,
Ere he in these dark terms his fears expressed :
" The stars roll adverse and malignant shine,
Some dire portent, some comet I divine.
I plainly in the Revelations find
That Anna to the Beast will be inclined ;
Howe'er, though she and all her senate frown,
I'll wage eternal war with Packington,
And venture life and fame to pull him down."——

Bishop Lloyd died in 1717, at the advanced age of ninety-one years.

To the Reverend Dr Bentley.

SIR,

You are pleased to ask my opinion concerning the time of the birth and death of Pythagoras, and of the chief passages of his life ; and also of the lives of other famous men, his contemporaries. I am sure you know these things better than I ; and therefore you need not come to me for information. But if you have only a mind to know my opinion of these matters, I cannot deny you that ; and, in truth, that is all I can tell you of that great philosopher. Not but that I have by me every thing that I observed, concerning Pythagoras, when I read the old Greek and Latin authors ; and to satisfy

your desire, I have put my collections in order, to draw out a chronological account of his life, if it were possible. But now they are here before me, I know not well what to make of them; they look like moon-shine in rough water, all over discord and confusion: Out of which I am so far from making out that which I designed, a perfect account of his life, that, I must confess, I cannot do any thing towards it. There is not in all my collection any one certain year in which any thing happened to him, or was done by him.

Yet I cannot lament that great man's misfortune in this, nor ours neither: For as he was a perfect juggler, so his life being all fast and loose, I must needs say, is written worthy of himself; and it is not only come entire into our hands, notwithstanding those defects I have mentioned, but with many improvements by later writers, who have striven to out-do one another in stories to his honour and praise

Of those ¹ many eminent writers that have employed their pens on this subject, there are three that have given us his history at large; Diogenes Laertius, Porphyry, and Jamblichus. These three, I believe, have called out all that was remarkable in any of the rest; and the two last were his great admirers, who would not omit any thing that might make for his glory.

They describe him as a very extraordinary person, for his parts and inventions for the good of mankind: They tell us what discoveries he made in natural philosophy; how much he advanced the mathematical sciences, as well by his studies as his travels; but, above all, they magnify his knowledge of the gods, and of the things of religion. Laertius tells us, ² he was initiated in all the sacred rites, as well of the Greeks as barbarians. Those other writers of his life take particular notice of this in every stage of his travels. And yet Porphyry will not let his reader be ignorant, that Pythagoras was a deist, as well as himself; and took both Apollo and Jupiter for no other than deified men, which he shewed by the verses that he made in those places where he was to see their sepulchres. Indeed by those verses one cannot but think that he despised those made gods in his heart: And so did probably those philosophers that tell us these things; though, according to the latitude of their principles, they were nevertheless as zealous as he was for the propagating of heathen idolatry.

What notions men have of a deity, one cannot better judge than by their morals; for every one that hath any sense of religion will endeavour to conform himself to the god whom he worships; at least he will avoid any thing that he knows to be contrary to his god. If we judge this way of Pythagoras, according to the accounts they give of him, we have reason to believe, that (as the apostle tells us of them whom the heathens worshipped) his gods were no better than devils. It could be no otherwise, if there be any truth in the stories they tell, of his impudent diabolical fictions, and of the fraudulent ways that he took to make the people admire him; which they also that tell us these things seem to think were no lessening of his moral virtues.

Particularly, they shew how he persuaded his hearers to receive that doctrine of the transmigration of souls. That it was originally an Ægyptian doctrine, we are told by Herodotus.³ But if lying Philostratus may be believed, the Ægyptians had it from the Bramins. It is agreed, that Pythagoras was he that first brought it into Greece; and there it seems he had a mind to be thought the first author of it.⁴ To make the people believe this, he told them an impudent lie, that his soul was in Euphorbus at the time of the Trojan war; and in the six hundred years between that and his birth, his soul had passed through several other bodies before it came into his. He faced them down that he knew this by a singular gift of remembering all the stages through which his soul had passed in its travels.

¹ Jonsius de Script. Hist. Philos.

² VIII. 2.

³ Herod. 11. Diod. Sic. Philostr. Vit. Apoll. Ty. iii. 6.

⁴ Porph. p. 188—*Orig. Notes.*

First, when Euphorbus was killed by Menelaus, (which was in the year before Christ 1185) then his soul, as he said, came into Æthalides, the son of Mercury. After his death, it came into Hermotimus; then into one Pyrrhus, a fisherman; and at last it came into Pythagoras.¹ This is Porphyry's way of telling the story.

But from others we have it, that Pythagoras² himself used to say, that his soul was in Æthalides before it came to Euphorbus. And for this, they gave us the authorities of them that had reason to know things of him much better than Porphyry; namely, Diog. Laertius³ saith it from Heraclides, that lived near the time of Pythagoras; and another from Pherecydes, the most intimate friend of Pythagoras. They tell their story with particulars worth knowing, if there were any truth in it. As, namely, how Pythagoras came by the gift above-mentioned: They tell us that Mercury, whose office it was to carry souls into Hades, gave the soul of his son Æthalides in its way thither, the privilege not to drink the waters of Lethe, the drinking whereof makes souls forget all that passed in this world; and so it is plain, how, as Pythagoras used to say,⁴ Euphorbus remembered his soul had dwelt formerly in the body of Æthalides and Hermotimus, that his soul was in both these, and the fisherman that his soul was in those three, and Pythagoras, that his soul was in them all. They also tell us how it came to pass, that in six hundred years that soul of his was only in two bodies, namely, of Hermotimus and the fisherman: For Mercury, as Pythagoras himself used also to say,⁵ gave the soul of his son Æthalides leave to rest sometimes in Hades, and at other times to travel above ground; and so Pythagoras himself said, that after the fisherman's death, his soul had rested two hundred and seven years in Hades, before it came into that body of his.

But what of all this? The doctrine of transmigration of souls is sufficiently proved, if the soul of Pythagoras was at any time formerly in the body of Euphorbus. And that, as Porphyry tells us,⁶ was positively affirmed by Pythagoras himself, and proved beyond dispute, as likewise his scholar Jamblichus tells us in the very same words. But these philosophers were wise; they took care to hide that part of their ware which would have disgraced all the rest. It was the Egyptian doctrine,⁷ that souls passed out of men into beasts, and fishes, and birds. This, also, according to Heraclides, Pythagoras used to say of himself, that he remembered not only what men, but what plants and what animals his soul had passed through. And, though this was more than Mercury gave to Æthalides, Pythagoras took upon him to tell many others how their souls had lived before they came into their bodies. One⁸ particularly that was beating a dog, he desired to forbear, because in the yelping of that dog he heard a friend's soul speak to him. So Empedocles,⁹ that lived in the next age after Pythagoras, and was for a while the oracle of his sect, declared of himself, that he had been first a boy, then a girl, then a plant, then a bird, then a fish. Apollonius had the same impudence, if Philostratus may be believed, who tells us¹⁰ he owned that his soul was formerly in the master of a ship; he shewed one young man that had in him the soul of Palamedes, another of Telephus, both killed at the time of the Trojan war; and in a tame lion that was carried about for a sight, he said there was the soul of Amasis King of Egypt. How could such fictions as these come into men's heads? There is more than idle fancy in them. They shew plainly a pernicious devilish design to confound these two doctrines that have so great an influence into men's minds, to make them do good, and eschew evil: The doctrines of the immortality of the soul, and of the resurrection of the body. For if those fictions were true, there would be no difference

¹ Porph. p. 201.

² Schol. in Sophoclis Electram.

³ Diog. Laert. VIII. 4 Schol. in Apell.

Argonaut I. ⁴ D. Laert. VIII. 4

⁵ D. Laert. VIII. 14.

⁶ Porph. p. 191. Jambl. c. 28.

⁷ Herod. II. Diog. Laert. from Heraclides.

⁸ Porph. p. 192.

⁹ D. Laert. VIII. 36.

¹⁰ Philostr. III. 707. VI. 18. V. 15.—*Orig. Notes.*

between the soul of a man and the soul of a brute, or a plant; and there would be many more bodies than there would be souls to animate them at the resurrection. What would not the devil give to have these things believed by all mankind?

For the tricks they tell us he had to make the people admire him, they are so agreeable to his character, that his historian Jamblichus with the same design, aped him in some of them, unless he is belied by Eunapius the writer of his life. They were, as one may properly call them, the artifices of an impostor. Mahomet, the greatest that ever was of that sort, when he set up to be a prophet, though it is not likely that he had ever heard of Pythagoras, yet took the very same methods that he did to impose upon mankind. This will appear in several of the following instances, if any one will take the trouble to compare them with those that are in Mahomet's life.

The first thing we read Pythagoras did, to make way for the authentical¹ publishing of his doctrines, was to make himself look like a sort of demi-god to the people. For this purpose, he provided himself a cell under ground; and then giving out he was dead, he retired into that hole, and there for a long time together, seven years, as some tell us, he lived unknown to all mankind. Only his mother was in the secret, for she was to supply him with necessaries: But of these he took in no more than just what would keep him alive. Then at last he came forth like a perfect skeleton, and shewed himself as one that had been all this while in another world.

He that was so greedy of vain glory, that he could afford to purchase it at this rate, would not spare his pains, or refuse any help to get into possession of his purchase. And for this, it being requisite he should do things above the power of any mortal, therefore of such things, true or false, they tell us not a few in his life.

Some of the fathers² have said that he wrought them by compact with the devil. But I see no necessity of that, for he had other ways by which other men have obtained the fame of working miracles. He was doubtless both a natural philosopher and a great mathematician. He understood all the secrets of the Egyptians and Chaldeans. And having many disciples on those accounts, it seems very likely that he might act in confederacy with them. This at least they could do for him; they might help to devise stories of the miracles that he wrought: And then, for their own credit as well as his, they would be industrious to spread them among the people.

Such lies they were, I do not doubt, that Porphyry and Jamblichus³ tell us, of his laying winds, tempests, and earthquakes; for of these they do not give any particular instance, nor are these things mentioned by any other writers that I remember. So likewise they tell us of his curing diseases, whether of body or mind, which they say he did with charms: That is, as Cyril⁴ saith, he did them by the help of the devil. For his hearing the music of the spheres, that Porphyry⁵ speaks of as wonderful harmony, now we know this is a lie framed upon a false imagination. But if this were true, being an invisible miracle, and impossible to be proved, it could not be made use of to prove any thing else. Many other lying wonders they tell of him, which seem to have been made only for talk, being such as could signify nothing to the good of mankind. As,⁶ namely, how to shew his company what he could do, he took up serpents that had killed other men, and handled them, so as that they neither hurt him, nor he them. How, for the same purpose, by whistling to an eagle that happened to fly over his head, he brought her down to his hand, and then let her go again. Another time, seeing some fishermen at their draught, he foretold them the exact number of fishes that their nets should bring up, and when they were told, threw them in again. How, by stroking a bear, and whispering a bull in the ear, he brought

¹ Diog. Laert. VIII. 41. from Hermippus.

² Chrysost. Hom. II. in Job. Cyril. in Julian III.

³ Porph. p. 193. Jambl. c. 28.

⁴ P. 194.

⁵ Porph. p. 191, 192. Jambl. c. 28.

⁶ Porph. ib.

and Jambl. c. 13. Jambl. c. 28. Porph. p. 190.—*Orig. Notes.*

them both to the Pythagorean diet: The bear to eat nothing that had life, and the bull to crop no more bean-tops. How he spoke to a river that he was passing over with many of his friends, and it answered him again in all their hearing, "Good morrow, Pythagoras." But this goes beyond all the rest, if there be any truth in it; that when Abaris had been all over Greece to beg money for the temple of his god Apollo Hyperboreus; at last, in an evil hour for himself, he came to Pythagoras in Italy, where the cunning philosopher rooked him of his money, by persuading the poor man that he was his god. And to convince him of the truth of it, they say that Pythagoras shewed him his golden thigh; and then, which was worst of all, made him swear the people into a belief that he was Apollo himself.

If any other author mentions any of these wonderful things, he declares that he hath it only from report, or by hearsay, and so leaves the reader to judge of the truth of it. But most of these things are positively affirmed by Porphyry, and his scholar Jamblichus; only they vouch nameless authorities for them, to shew they were not of their own devising, which yet one can't forbear to think of as many of them as are not to be found in other authors. But why should these philosophers either be so wicked to abuse the faith of mankind in devising such stories? or why should they take the pains to collect them, and pawn their faith to give them credit in the world? Such great men as they were, had no doubt great reason for this. But what that should be, deserves a farther consideration; wherein if I do a little exceed, I know you will not only pardon me, but will take the fault upon yourself, if these papers should come to be published through your hands.

It is certain that these men had a vehement hatred against the Christian religion, not only through the prejudices of their education, but much on the account of that way of philosophy, by which they so much valued themselves, and had got so great a fame in the world. They had no patience to see that sort of learning, that had been so long in possession of glory among all civilized nations, now to be brought in disgrace by a religion, which they accounted nonsense, and yet pretended to divine revelation, would shew that they by all their wisdom knew not God.¹ Their indignation at this was much the more, because this new religion sprung up among the Jews, whom they looked upon as much the worst of the barbarous nations, and the first teachers of it were justly, as these philosophers thought, both hated and contemned by the Jews, as much as the Jews themselves were by all other nations.

That the author of this sect, our Lord Jesus Christ himself, bore no greater figure in the world, than that of a poor carpenter; and that his apostles and followers² were unlearned and ignorant men; this is owned, to the glory of God, by those among themselves that writ his history and their's in the Gospels, and the Acts of the Apostles. And that these very books were written by men of that sort, even by them whose names they bear, this I think hath not been gain-said by any that lived within some hundred years after Christ: But it hath been acknowledged by those learned heathens, that writ against the Christian religion, and especially by Julian,³ who of all others was the best able to inform himself.

But what is it that these men say of their master, in the account they give of him, and of them that were the first publishers of his doctrine, how they came to have such authority in the world? They say he wrought in their presence an infinite number of miracles; and particularly, those which they have published for the proof, as well of his authority, as of his doctrine. They⁴ say also of themselves, that in their preaching of him and his doctrine, the Lord worked with them, confirming their word with signs following.⁵

They laid the chief stress of their proof upon his resurrection from the dead: Of

¹ 1 Cor. i. 21.
Cyril. lib. X. p. 327.

² Acts iv. 13.

³ V. Hierocl. *infra*, & Julian. Apost. in Spanheim's edition of
⁴ John xx. 30, 31.

⁵ Mar. xvi. 20.—*Orig. Notes.*

which, not only his apostles were eye-witnesses,¹ but above five hundred persons, most of them then living, when St Paul appealed to their testimony. And that he did, in an epistle² which was written within some twenty years after the matter of fact. The apostles³ especially took it on themselves as their office, to be witnesses of his resurrection. For the faithful discharge whereof, as they could expect nothing but sufferings in this life, so they desired nothing more than to finish their course by dying for it. And they were not deceived in this expectation; all of them being continually persecuted as long as they lived, and many of them suffering death for the testimony of Christ. They were charged with no other crime in this world.

As for what they write of his miracles, and also of their own, which they profest they wrought only by a power derived from him, the truth of the matters of fact we do not find was ever questioned by any that lived in that age. On the contrary, we see it was acknowledged by the Pharisees,⁴ the most malicious and vigilant enemies of our Lord Jesus Christ and of his holy apostles. No doubt it puzzled their wise heads to think how such wonderful works should be wrought by such simple illiterate men. For one cannot think they could satisfy themselves with the account which they gave others of the way that Christ had to cast out devils, when they said that he did it by the prince of devils;⁵ for as he there answered them, it was visibly against the devil's interest to do this; the miracles of Christ being plainly in those instances, to dispossess the devil of men's bodies; and by that and other beneficial works, to oblige them and others to receive a doctrine that would also dispossess him of their souls. But, besides the absurdity of this, it is plain the Jews did not believe themselves in this accusation of Christ. For if they had, they would have insisted on this, as being a capital crime, not only by their law, but also the Roman: And therefore, to be sure, they would not have been to seek for other crimes,⁶ if they had thought they had any colour to charge him with this.

But that which the Pharisees said then, of that one sort of miracles, though it was against all reason and against their own conscience, yet, for want of a better colour for their unbelief, the Jews in aftertimes have alledged against all the miracles of Christ and his apostles and followers. This we see in those objections of the Jews, whom Celsus brings in arguing against the Christian religion:⁷ These Jews, on this very account, rank our blessed Saviour with Pythagoras, of whom enough has been said, and with such other heathen impostors, of whom more will be said afterwards.⁸

But for those Jews whom Celsus produces, since it hath been sufficiently shown that they ought not to be admitted as accusers in this cause, therefore they might be dismissed; but that the same Celsus gives us occasion to make use of them as our witnesses, as to those matters of fact which he denies, when he comes to speak in his own person as a heathen, and one that was an Epicurean philosopher. For then he is pleased to say,⁹ That what things our Scriptures tell of the miracles of Christ and his apostles, are all fictions and tales. This he saith more than once: And yet he doth not pretend to prove the writers of them were liars, or to shew any inconsistency, either in the miracles themselves, or in the accounts that are given of them. So that he expected men should take his authority for this. But why so? he could say nothing of these matters on his own knowledge; for¹⁰ he writ in the Emperor Hadrian's time, or something later; and that was at least fifty years after any of those miracles that are mentioned in our Scriptures. Nor doth he pretend to have any ground to say this, either upon hear-say, or from what he found in former writers. If he had referred us to other writers, it would have been very great news. For, of all that have written in the times

¹ 1 Cor. xv. 6.

² V. Uss. Annal. A. D. 54. & Pearson. Posthum.

³ Acts ii. 32. iv. 33. v. 32.

⁴ John ix. 47. Acts iv. 16.

⁵ Mat. ix. 34. xii. 24.

⁶ Mat. xxvi. 59, 60. Luke xxiii. 14.

⁷ Origen. contra Celsum. I. p. 30, 55.

II. p. 93, 94.

⁸ P. xx, xxv.

⁹ Origen contra Celsum. III. p.

126, 127. and VIII. p. 407.

¹⁰ Origen contra Cels. I. p. 8.—*Orig. Notes.*

of Christ and his apostles, there is none, Jew or Heathen, that makes any mention of their miracles; which is a plain sign they knew not what to say against them, otherwise they would have spoken as spitefully of them as they spared not to do of Christ himself.

But how could Celsus answer this to his own conscience? that whereas of the miracles wrought by Christians in his own time, he saw there was no denying the matters of fact; and¹ therefore he affirmed that these miracles were wrought by invocation of the devil, which was the same in effect, that, by his own telling,² the Jews said of the miracles that were wrought by Christ and his apostles: He should nevertheless have the impudence to say, that these were fictions and tales, as if he knew Christ and his apostles better than the Jews in whose country they lived, and whose ancestors were conversant with them; or as if Christ himself could not work as true miracles as were done in Celsus's time, and to his own knowledge, by Christians that wrought their miracles in his name?

This learned man³ took surely a likelier way to disparage the miracles of Christ to the unthinking part of mankind, by likening the great things that are said of Christ to those that we read of⁴ Aristeas Proconnesius, and of Abaris, in heathen writers. But they that think what they read, will consider, that of the former of these, the first account we have is from Herodotus;⁵ and he tells it only by hear-say. He says, they say that Aristeas died at Proconnesius, and appeared there again seven years after; and having made some verses disappeared; but that two or three hundred years after, he appeared again at Metapontum, where, by special directions from Apollo, he was worshipped as God. Of Abaris, Celsus⁶ tells us himself, that he had such a power or faculty, that he rode about upon an arrow through the air, over mountains and seas, in his travels out of Scythia into Greece, and back again into Scythia, as both Porphyry and Jamblichus tell us at large.

These things Celsus tells us without any censure, as if he believed them to be true. And so they are as much as his book is a *True Discourse*, which is the title he gives it. Whoever considers these stories I think will not much regard the judgment that he passeth on the miracles of Christ and his apostles.

But the way that he took to bring them in disgrace, by ranking them with those incredible fables, this took mightily with the learned heathens that came after him. And therefore I doubt not it was, that both Philostratus writ the *Life of Apollonius Tya-neus*, and that Porphyry writ the *Life of Pythagoras*, which led me into this digression. They seem to have been written both of them with this design. I am sure that they are both of them made use of to this purpose, to shew that all the great things that are told of our Saviour in the gospel, were equalled, if not outdone, by these heathen philosophers.

As for Porphyry,⁷ his hatred of the Christian religion he showed sufficiently, in writing fifteen books against it; the loss whereof, though some of our deists complain of, yet they may be assured for their comfort they will not want the help of any of our learned men to bring them to light. We want them indeed on many accounts; but especially to shew them, that as they have Porphyry's malice, so if they had his great learning too, both these joined together, would not hurt the Christian religion. We should want his books the less, if we had any of those⁸ answers that were written against him by three learned Christians, Methodius, Eusebius, and Apollinarius. But, as Holstein well observes,⁹ the Roman empire being turned Christians within very few years after the writing of these books, as the emperors took care by their edicts to

¹ Orig. cont. Cels. I. 125, 129. ² P. xvii. ³ Origen contra Cels. III. p. 125, 129. ⁴ Orig. cont. Cels. III. 125, 129. ⁵ Herod. IV. ⁶ Orig. cont. Cels. III. p. 129. ⁷ Holstein de vita et scriptis Porph. c. 10. ⁸ Hieron. præf. Dan. ⁹ De vit. et scr. Porphyry, c. 4.—*Orig. Notes.*

keep them from coming into the hands of the vulgar, so for learned men, they had now no occasion to transcribe them, or preserve the copies that were written.

Of the time of Porphyry's writing these books,¹ we have nothing certain, save that we are told they were written when he was in Sicily. And the time of his coming thither, as he tells us himself, was about the fifteenth of Galienus the emperor;² that is, about the year of Christ 267. He acknowledgeth, that, being in Rome at that time, he had a mind to kill himself, which Plotinus discovered; and, upon his chiding him for it, he left him, and went away into Sicily. What it was that enraged Porphyry to that degree that he must needs kill himself he doth not say.³ Probably it might be out of madness, to see that emperor's favour to Christians, whom his father Valerian had done all he could to destroy. If that was the reason of this philosopher's being weary of his life, he had some ease within a few months in the death of that emperor, and then a succession of others that wanted only a fit season for the renewing of the persecution. And it might be as well to quicken them to that work, as to ease his own passion, that he set himself to the writing of these books; wherein, as all that quote from them observe, he out-did all others in virulent railing and scoffing at the Christian religion.⁴ As for his arguments, it cannot be imagined, that there was any thing of strength in them, more than what Julian the apostate took into the work that he writ afterwards on that subject. And, to our comfort, as well as the deists, that work is not lost. It hath been often published, with Cyril's answer to it; but never so much to the reader's advantage, as now lately in the excellent Spanheim's edition.

Whether it was before or after these books, that he writ the life of Pythagoras we cannot certainly know; for the life itself is imperfect, both at the beginning and the end; and the whole book is but a part of his history of the lives of philosophers. But whereas these lives of his, as Holstein observes,⁵ were all made of patches taken out of the ancient writers; and so is this among the rest; yet here, after all the heap of stuff that he hath collected from others concerning the life of Pythagoras, at last, he brings in those stories of miracles wrought by him, part of which are in no other writers, and the rest he hath made his own, by vouching for them, as I have shewn.⁶ This I cannot imagine why so wise a man should do, but in pursuance of his malicious design against the Christian religion, by making his reader believe, that the miracles of Christ, upon which the credit of our religion is built, were of no greater credit themselves, than those which were wrought by Pythagoras. That I am not mistaken in this, the reader will see in the following instance of Hierocles; who, writing some few years after Porphyry had so highly advanced Pythagoras, set him up in competition with our Lord Jesus Christ, as I shall presently shew.

Hierocles, being chief judge at Nicomedia, in Dioclesian's time,⁷ was a chief instigator of that bloody persecution that was then against the innocent Christians. And to justify this, he writ two books against the Christian religion, which he published under the title of *φιλάληθης*, a Lover of Truth. No doubt by these means he won the heart of the emperor Galerius, who was the first mover of that persecution; and therefore by him he was advanced to the most profitable government of Alexandria in Egypt.⁸ There also he went on in his butcherly trade, till an end was put to it by the wonderful providence of God, which, by Constantine's means, brought Christianity to be the imperial religion. Then Hierocles betook himself wholly to philosophy, and, among other things, writ his commentary on the Golden Verses that bear the name of Pythagoras; which I mention to show how much he was addicted to the honour of Porphyry's saint.

Of his two books against the Christians, it seems that Eusebius saw but one,⁹ and

¹ Euseb. Hist. VI. 19.

² Porph. v. Plotini, p. 4.

³ Euseb. Hist. VII. 12 VIII. 4.

⁴ Holst. ib. c. 10.

⁵ De Vit. et Scr. Porph. c. 7.

⁶ P. xiii.

⁷ Lact. de Justit. v. 2.

⁸ Lact. de Mort. Perfec. c. 16. Euseb. de Mart. Palæst. c. 5.

⁹ Euseb. cont. Hier.—*Orig. Notes.*

of that, he tells us, the most part was stolen out of Celsus ; and was long since answered by Origen. It appears that in that work of Hierocles, to pull down the honour of Christ, he first set up Aristias, as Celsus had done : Next, he sets up Pythagoras ; and, lastly, Apollonius Tyaneus.¹ All this we learn out of that fragment of Hierocles which is published in the end of his works, and also at the end of Eusebius's answer to his book ; though Eusebius meddled only with that part which concerns Apollonius, because that was all that was new in this controversy. In this piece Hierocles, having magnified Apollonius Tyaneus for the great things that were recorded of him by Philostratus, in his life, and having vilified our Lord Jesus Christ, whom the Christians, as he saith on the account of his doing a few *τερατείας*, call a god ; he concludes in these words : " It is worth the considering, that those things of Jesus are bragged of by Peter and Paul, and some others of that sort of men, liars, and illiterate, and impostors : But for these things of Apollonius, we have Maximus, and Damis a philosopher that lived with him, and Philostratus, men eminent for their learning, and lovers of truth."

What a lover of truth Hierocles himself was, we are to judge, not by the title of his books, but by the things contained in them. And though his books against the Christians have been lost many ages since, (as those blasphemous books of Porphyry were,) yet here we have a kind of summary of them in this fragment. For here we see in short what he had to say against the apostles of Christ, and what to say for the evangelists of Apollonius, whom he sets up against him : And it cannot be denied that, on either side, the truth of the matters of fact is to be judged of chiefly by the sufficiency and the honesty of the witnesses. Therefore, knowing what he has to say of them, we know in effect the validity of all that is contained in his books.

First, In his charge against the apostles of Christ, to say that Paul was illiterate, this was certainly an impudent calumny.² For, beside his knowledge of the Greek, that was his native language, wherein also we see he writ a large epistle with his own hand, and quotes the Greek poets in several of his epistles : I say, beside this, he had the Hebrew learning in great perfection, being brought up at the feet of Gamaliel,³ a doctor in great fame among the Jews to this day. And he gave such proofs of his learning before the Roman governor, and King Agrippa, that the governor said, Too much learning had made him mad.⁴ So far was he from calling him an illiterate man.

Then to call him and Peter, liars and impostors, what occasion did they give him for this ? Only by their preaching and writing for the Christian religion. But did they believe that religion or not ? If they did, suppose they might err in this, yet they could not be liars and impostors ; for they both knew and writ, that all such are in a state of damnation, according to the rules of their religion.⁵ But if they did not believe it, then indeed they might do wicked things for their religion, if that would recommend them to the emperor's favour ; and so to get preferment as Hierocles did. But they were so far from that, the government being against their religion, that they could get nothing by it but dangers and sufferings. Those they met with in all places wheresoever they preached. And they looked for nothing else in this world but sufferings, and those to end in a cruel death, for Christ's sake.⁶ This both of them declared in the last epistles they writ. And in this, we see, they were not mistaken. For both of them suffered martyrdom, as Clemens tells us in his Epistle to the Corinthians, which he writ within two or three years after their death ; the truth of which epistle hath never been questioned by any learned man whatsoever.

But what shall we say of a man that was perfectly blinded with prejudice and malice,

¹ Edit. Oxon. 8vo. p. 264.

⁵ Rom. iii. 8. 2 Pet. iii. 3.

² Gal. vi. 11.

⁶ 2 Tim. iv. 6.

³ Acts xxii. 3.

⁴ Acts xxvi. 24.

2 Pet. i. 14.—*Orig. Notes.*

or with ambition and covetousness? If Hierocles had not been so, he could not but have seen that those two apostles of Christ had nothing about them that would suit with those two ugly characters of liars and impostors. But he had those in his eye that would certainly have been taken by those marks, if there had been a hue and cry after them. I cannot think any learned man in his age, being asked of all the writers, whose works were then extant, which was the greatest liar? would name any other than Philostratus. I am sure he could not, if he would speak impartially. And yet this Philostratus, and his two authors, Maximus and Damis, known to none but himself, are the men whom Hierocles calleth learned men and lovers of truth. And for an impostor, if such a one had been enquired for, I know not whom a learned man, that had no design to serve with a lie, would have named before Apollonius Tyaneus: Whom yet Hierocles so much admires, that he thinks himself modest for saying only this, He was a favourite of the gods; whereas the Christians say, that Christ was God himself, for those few strange things that are told of him.

First, For Philostratus, on whose single word all the credit of this story of Apollonius depends; of what value his word is, must be judged by considering how he was qualified for an historian. To begin with the opportunities he had to inform himself, it is certain, he could say nothing of his own knowledge. For, as himself tells us,¹ Apollonius died a few weeks after the Emperor Domitian; that was, in the year of our Lord 96. But Philostratus did not write this till above an hundred years after. How came he then by all the stuff with which he hath filled a large history? He tells us, that while he lived in the court of Julia, that most infamous empress, the mother and wife of that horrible brute Caracalla, the minutes of Apollonius's life, written by one Damis² that lived with him, were presented to her by one of Damis's relations; and she being a lover of fine language, delivered them to this sophist Philostratus, to put them into a handsome dress. But that we may not think these minutes were all that he had for the furnishing of his history, he tells us, he had besides, an account from one Maximus of Ægæ,³ how Apollonius passed his time in that town for the two or three years that he lived there, being then about twenty years of age, almost a boy, as Hierocles words it. And this is all the help he had from these two lovers of truth, as Hierocles calls them. But there was, besides, one Mæragenes that writ four books⁴ on or against Apollonius; but he is not to be heeded, saith Philostratus, because he was ignorant of many of our stories; so he lost the honour of being recorded by Hierocles for one of the lovers of truth. In short, except the little things that happened in the short time that Apollonius was at Ægæ, for any thing else of his life, Philostratus doth not pretend to have any author but Damis. Yet all that he had of Damis was no more than a table-book of minutes, as Philostratus owns. And those might be written by any one else for ought he knew. For it was an hundred years after Damis's death before he saw or heard of them. Till then they were not known. And then a nameless man, pretending to be a relation of Damis, brought them, and said they were written by Damis. This is all the authority we have for Philostratus's legend.

But he saith in the chapter before,⁵ he had some things from town-talk, in the places where Apollonius had been, and some things he had that other men said of him, and some things from epistles that Apollonius had written to kings, &c. As for the talk of things done an hundred years ago, that is very uncertain; but of what authority were these epistles? There may well be a doubt of this. For the epistles in Diogenes Laertius were generally forged by sophists;⁶ and Philostratus being a sophist, and one that knew how to write to kings, might be the very man that forged the epistles now ex-

¹ Philost. VIII. 12

² Philost. I. 3.

³ Ibid.

⁴ 'Εἰς Ἀπολλώνιον, Ib. I. 3.

⁵ I. 2.

⁶ Philostr. Soph. II. p. 617. He writ a book of Love Epistles, Suid.—*Orig. Notes.*

tant. We have reason to like them the worse for agreeing too well with his history. But besides, he seems to doubt that his reader might suspect these epistles, and therefore question his history. To fence against this, he saith,¹ he took things that were more certain from the authors that he names afterwards, Damis, &c. Of how little credit those authors were we have seen. And if things taken out of them were more certain, as he himself tells us, then there is no credit at all to be given to his epistles.

So much for the authority: Now for the matters of his history. Some of them, I dare say, were such as Lucian had never heard of, and yet he lived mid-way between Apollonius and his historian.² Particularly, I cannot believe he ever heard of that story of Apollonius, how he made the people at Ephesus stone an old beggar, who, as he told them, was a dæmon; and when the stones had made a hillock over his body, he bade the people remove the stones, which they did; and found under them, not a man, but a mastiff, as big as the biggest sort of lion, and foaming at the mouth, as if he had been mad. So likewise he tells how Apollonius being invited, with many other guests, by his friend Menippus to his wedding, he found that the amiable bride was a she-devil,³ that was in love with Menippus, and pretending to be a great fortune, had provided the wedding dinner, with a noble attendance, and all manner of delicacies; but upon his telling his friend what she was, she, together with her attendance and dinner, vanished, leaving Apollonius to make her excuse to the bridegroom and his company. Here were subjects for Lucian to have bantered upon, beyond any that are in his book; so that, because they are not there, I say again, one may be sure he never heard of them.

He that could thus descry devils, might as well know souls, one would think, and tell what bodies they had passed through; especially being a Pythagorean philosopher.⁴ I have shewn Apollonius could do that, as well as Pythagoras himself; though Philostratus doth not tell us that ever his soul dwelt, as that of Pythagoras did, in the body of a son of Mercury, that had that gift from his father. But he was not to be measured by Pythagoras, being, as Philostratus tells us, far the greater man of the two.⁵ He out-did him in many things; and particularly in this, that he would call up the souls of any of the heroes, and entertain himself with them at his pleasure. Particularly at the tomb of Achilles,⁶ where that hero appeared sometimes frightfully to others, who therefore warned Apollonius not to come near him; he laughed at them, and spent a whole night there in conversation with Achilles, till the cock's-crowing; which, it seems, warns the sprights away.⁷ But the next day he told his company all this; how the ghost appeared to him at first but five cubits high, but rose up by degrees to be twelve; perhaps swelling with indignation against his countrymen of Thessaly; of whom he bitterly complained, that whereas they used to worship him formerly, now they had this good while left it off. He called Apollonius by his name, and told him, I am glad you are here, for I have long looked for such a one as you to tell them of this. But for one thing he expostulated with Apollonius too; that he had received into his company one Antisthenes, that was of the race of king Priamus, and that used to sing the praises of Hector; whom, belike, Achilles hated, even after death. But it seems Apollonius, having done this ignorantly, now he was told of it, discarded the young gentleman. All this, as Philostratus says, was in the minutes of Damis, who was present at that time.

And with him I go next to Apollonius's travels, of which Philostratus tells us many wonders, that he saith Damis saw; among which are the most incredible things that we read in the Travels of Sir John Mandeville. But he tells us many more and greater than the knight has in his book. Particularly this,⁸ which Damis confesseth made

¹ I. 1.² IV. 3.³ IV. 8. Empusa.⁴ P. ix.⁵ L. 1. c. 1.⁶ IV. 3.⁷ IV. 5.⁸ III. 8.—*Orig. Notes.*

him stare. When he was among the bramins, they brought him to a treat, where he saw four tables, that walked and placed themselves in an apt figure; each of these was supported by an image, that served them with drink: Two of these images poured out wine, and the other two water; one hot, and one cold, to every guest according to his drinking: And for dinner, there came in dishes of all the best fruits of the season; invisible, till they were upon the table, and there they set themselves in order for eating: Then the earth thrust up heaps of grass, that were softer than beds, for the guests to lie upon. Philostratus saith, indeed, that how they did these things, Apollonius neither asked, nor cared to learn; that is, he took all to be done by magic. But he liked these magicians never the worse for it; as appears, by the high praises he gave them at every mention that he made of them afterwards. Which so pricked the Gymnosophists, when he was with them in Æthiopia,¹ that they, to shew him a proof of their skill, made an elm-tree speak to him. It spoke, he saith, articulately; but it was with a woman's voice; perhaps because the Greek word for an elm is of the feminine gender.² These are very rank fulsome lies; but they are but a small taste of the abundance that Philostratus gives us out of his Damis's minutes.

What he tells of Apollonius³ without that authority, himself, as I have shewn, doth acknowledge to be very uncertain. Such he owns these stories to have been, that he tells us of a choir of swans,⁴ that, happening to be in the meadow, where his mother fell in labour, sung him into the world; and also of a choir of virgins, that sung him into heaven;⁵ if the lying Cretans may be believed, that gave Philostratus the words of their song. For the distance of time between his birth and his death, he owns it to be very uncertain: He saith it was, as some say,⁶ 80 years, as some 90, and as some above 100. But therein, as well as in many other things, he shewed his want of chronology. For if, as he tells us, Archelaus rebelled against the Romans, when Apollonius was at Ægæ,⁷ being then but sixteen years old, then he must have been born in or very near the first year of our Lord:⁸ For it was certainly *anno Domini* 17, in which Archelaus, after a very short struggle, yielded, and was deposed for his rebellion.⁹ And as I have shown from Philostratus himself,¹⁰ Apollodorus died *anno Domini* 96. Therefore, according to Philostratus's own account, he died at the age of 96 or 97 years old; which is none of the years above-mentioned. So uncertain was also the place of his death. For as Philostratus saith, some say he died at Ephesus;¹¹ some say in the isle of Candy; and some in Minerva's temple at Lindus. For Philostratus's part, not daring to strain the credit of Damis, by making him side with any of them, he declares that Damis said nothing of the manner of his death. But then, delivering the opinions of others,¹² he saith, Thus died Apollonius; adding, if he died at all. O rare historian! that, having not only assured us he was born, but having given a particular account of his father and his mother, and the green chamber he was born in, comes at last to make a doubt, whether he ever died or no! What would this man have the reader think of his Apollonius? That he was greater than Apollo? Or than Jupiter himself? So it seems. For both these died, as we have shown from Pythagoras himself;¹³ who owned it was after their deaths that they were made gods; and Pythagoras could not but know this: For, as this writer tells us, Pythagoras was among them sometimes;¹⁴ and Apollo came to him, and owned that it was he that spoke to him. Yet here, Philostratus, that told us all this, though he durst not speak out, that Apollonius did never die; yet he intimates this was his opinion, and would incline his reader to believe it. Certainly your Tzetzes did not exceed in call-

¹ VI. 5.

² Πτελίσα.

³ P. xxxi.

⁴ I. 4.

⁵ VIII. 12.

⁶ Ibid.

⁷ I. 9.

⁸ Tac. Ann. II. 42.

⁹ Tac. Ann. II. 42.

¹⁰ P. xxix.

¹¹ VIII. 12.

¹² Ibid.

¹³ P. v.

¹⁴ 1, 2.—*Orig. Notes.*

ing him the most lying Philostratus. Among all the writers that I know there is scarce a greater liar in the world.

Nor was there a greater impostor than Apollonius; whom, on the sole credit of Philostratus's history, Hierocles so much extols as the great favourite of the gods, and fitter to be called a god than our blessed Saviour. But to shew more particularly what Apollonius was, we must not wholly reject his lying historian. For, if we do, we are quite in the dark, there being no other that writ of Apollonius within two hundred years after his death, Lucian only excepted. And therefore, to make the best of what we have in these two writers, I shall begin with Philostratus, and take the best information we can get of him.

Now, according to this historian, Apollonius was bred up at first among the Pythagoreans, and always affected to be thought a philosopher of that sect. For he strictly observed the rules of Pythagoras, though he understood not his doctrine.¹ But he not only imitated, but much out-did him in his travels. And, according to the way of that sect, which was much addicted to the worship of dæmons, he made it his business, wheresoever he went, to restore the Gentile idolatry; which was then much sunk by the preaching of the Christian religion. This, no doubt, might entitle him to the devil's especial assistance, by which he might do wonderful things, and might, as he boasted he did, know more than all the men in the world. That was nothing to him. He would be thought to be a god, and therefore he boasted of things which no man could know or do.² He declared he knew all the languages of men, without any teaching; and that he understood, not only their words, but even their silent thoughts. Damis, as soon as he heard this, fell down and worshipped him; he could do no less, looking upon him as a dæmon, saith the historian. Others that saw his tricks, and heard such things from him, soon found both what he was, and what he would be at. They saw he was either a magician or a grand cheat. This was the common opinion they had of him according to Philostratus,³ who notably fenceth against it. They also saw what he drove at, even to be thought a god. Of this he was accused to the government:⁴ And that by philosophers, even by Euphrates the greatest of them in his age. These learned men, no doubt, had seen the books that he published; namely, his four books of Judicial Astrology,⁵ and his books of sacrifices, to shew what sorts of them would best please every god. I find no other books that he writ. And these could not but confirm those philosophers in their opinion of him. We have these things, and much more of this kind, from Philostratus; whom we have reason to believe in these things, though not in many other; for in these he agrees with him that lived nearest Apollonius's time.

Of all the writers now extant, the nearest to the time of Apollonius was Lucian, as I have shewn. And what opinion he had of him, we may see in his account of another of the same trade, one Alexander, a famous impostor.⁶ Lucian tells us of this Alexander, that being at first a handsome youth, he was abused by one of Tyana, that made him his catamite. This execrable sodomite, being, as Lucian saith, not only a countryman of Apollonius, but also one of his companions, that knew all his way of acting the part of a philosopher;⁷ to make this young man the more passive to his lust, trained him up to magic, and taught him the use of charms, and made him a great proficient in all the other arts of cheating, in which he excelled. This is all that we have of Apollonius from Lucian. And we had not known so much of him as this, but that Lucian, having occasion to speak of a companion of his, that set up at his trade, and took apprentices at it, thereupon brings him in as the master-workman of his age in all that way of diabolical practice.

¹ Euseb. in Hier.

² I. 13. p. 25.

³ I. 2, 3.

⁴ VII. 1.

⁵ III. 13.

⁶ Lucian in Pseudo-Mant. p. 476.

⁷ *Τραπέδης*.—*Orig. Notes.*

This was the reputation he had, as it seems, till above a hundred years after his death. Then out comes this book of his life; composed, as I have shown, out of unknown memoirs,¹ brought into the world by an unknown hand. They are said to have been brought to the empress Julia, as I have shown. That might be, though they were first born in her court.² She might as well order the first devising, as the composing of them into a history. Philostratus owns, that what he did was by her order. And she was herself a philosopher,³ as he tells us; a great intriguer, all acknowledge. No doubt she had very great reasons for such an extraordinary thing as this was to canonize a magician a hundred years after his death, and to advance him even to be a god: Whether she had a mind this way to draw off her son, the young emperor, from the esteem he had of the Christians, whom he favoured on his nurse's account,⁴ that was of that religion; or whether to do honour to a disciple and intimate friend of the magi,⁵ that were noted to lie with their mothers; and thereby to countenance her wicked design of drawing her son to her bed.⁶ These are but conjectures. But whatsoever the matter was, it was she,⁷ as Philostratus owns, that set him upon the design of writing the life of Apollonius; at such a rate, that whoever believed it, could not but look upon him as a fit rival for our blessed Saviour.⁸ Her, and her son Caracalla, I take to have been the emperors that ordered him to be worshipped at Tyana, where he was born. That emperors did order this, Philostratus tell us in a chapter which I take to be an addition to the end of his book.⁹ And sure this could not be done by any emperors before Lucian's time: For if it had, he durst not have writ those things that I have quoted from him. Considering also that her sister or niece Mammæa, the mother of Alexander Severus, was a Christian, I do not wonder at that which Lampridius hath in this emperor's life;¹⁰ where he saith, he had the images of Christ and Apollonius together in his Lararium. Of his mother he had his birth and education; and it was his aunt Julia that raised him to that greatness; in which, being to furnish a closet for his devotion, he thought to please them both, in setting up his aunt's god, together with his mother's.

As the bigotted heathens could not but be pleased with the honour done to Apollonius, in order to the lessening of our blessed Saviour, so, no doubt, the devil would promote it what he could. And therefore I am inclined to be of Dr Moore's opinion,¹¹ that the devil might make that appearance to Aurelian, in the name of his saint Apollonius, to persuade that incensed emperor to spare his city of Tyana for his sake, though otherwise it is not improbable that Vopiscus might invent this part of his history.¹² For as my most learned friend Mr Dodwell shews,¹³ he writ it in the first heat of Dioclesian's persecution, and dedicated it to the Præfectus Urbis, who had the same concern in this matter at Rome that Hierocles had at Nicomedia. And by the high encomium he gives Apollonius, out of a Greek book, as he tells us, which could be no other than his life, written by Philostratus, it is plain he had the same wicked design with Hierocles, namely, to set up this magician for a rival to our Saviour, and thereby to bring contempt on his holy religion, and on all them that suffered and died for it in that persecution.

But when God's time was come to set up the kingdom of Christ, three or four emperors that opposed it with the utmost malice and rage,¹⁴ were successively taken away by the visible hand of God; the justice whereof two of them at their death did acknowledge. Then the devil being thrown out of heaven, all his angels fell with him. Christianity came to be the established religion. And then (to use the phrase of a

¹ P. xxx.

² P. xxix.

³ Philost. Soph. II. p. 617.

⁴ Euseb. Hist. VI.

⁵ Phil. Vit. Apol. I. 18. 24.

⁶ Sext. Empir. Pyrrh. III. 24.

⁷ I. 3.

⁸ More's Mystery

of Godliness, IV. 3, 4. V. 7. 1.

⁹ Phil. VIII. 13.

¹⁰ Eus. Hist. VI. 21. Lampr. Alex. A. Sect. 29.

¹¹ Mystery of Godliness, V. 7, 8.

¹² Vopisc. Divus Aurel. c. 24.

¹³ Mr Dodwell's Prælect. Proem.

in Hist. Aug. V. 6.

¹⁴ V. Lact. de Mort. perfec.—Orig. Notes.

gentleman that had more wit than did him good,) religion having taught the people to say grace, there was no more danger of the crooked pin in the pudding: Those palpable lies of Apollonius would not go down; and so, for ought I find, Hierocles quite lost his labour.

Next, Jamblichus, who, as Eunapius saith in his life, was a greater scholar than his master Porphyry, and who was no less a hater of Christians, yet, living under Christian emperors, as he did all the time of his age for writing books, he durst not write professedly against the Christian religion. But taking this to be a safe way, he went on with his master's design of setting up Pythagoras to be a rival to our Saviour. In order to this, he took up all the stuff that Porphyry in his life of Pythagoras had gathered ready to his hand. He worked it over again in his own way, oftentimes making use of Porphyry's words. Then, for farther embellishment, he added out of his own invention, whatever he thought would either adorn his subject, or promote the design of his writing. His design was plainly to subvert the Christian religion. But so as not run himself in any danger on that account; and therefore, without ever mentioning Christ or Christians, which he could not do in this book without seeming to make some kind of reflection upon them, he only endeavours to make Pythagoras, and those of his sect, outshine them in the lustre that he gives them with his eloquence, such as it is. Which, together with other services that he did to the cause of heathenism against the Christian religion, did so far endear him to Julian, that wretched apostate, that, after he came to shew himself, which was not till he took the empire upon him, he writ more epistles to Jamblichus than to any other while he was living; and after his death never mentioned him, but with the highest encomiums,² calling him sometimes the hero, sometimes the divine Jamblichus, and one whom he admired next the gods.

Julian, having been some time a reader in the church, might very well understand him, as I do in the following instances of his book, which I take to have been written in a kind of abusive imitation of the gospel;³ namely, where he tells us how the mother of Pythagoras, being with child of him, which was more than her husband yet knew, was brought by him to the oracle of Apollo Pythius, at Delphi; and there the prophetess told him both the first news of his wife's conception, and also that the child she then went with should prove the greatest good to mankind. Thereupon he saith, her husband changed his wife's name from Parthenis to Pythias; and afterwards, when the child was born, called him Pythagoras; as being foretold by Apollo Pythius; for so he saith that name signifies.⁴ Jamblichus will not take upon him to say, (as he tells us some others did) that the child was of Apollo's own getting: But he saith, none can doubt it was one of Apollo's companions in heaven.⁵ that came down to be the soul of that child. He should have said, rather, one of Pluto's companions in hell; for the soul of Pythagoras came then out of Hades,⁶ if Pythagoras himself may be believed. But Jamblichus was aware that Pythagoras overshot himself sometimes, and did it particularly in his account of the stages that his soul passed through in its travels: Therefore Jamblichus takes notice of no other but Euphorbus, in whom that soul formerly dwelt. He smuggles all the other names we have mentioned, not only from his master Porphyry, but even from Pythagoras himself.⁷

But however, he saith, it hath been affirmed by many, and that with great probability, that Pythagoras was the son of God; nay, that he was one of the heavenly gods that then appeared upon earth for the good of mankind;⁸ a greater good than ever did come before, or should ever come after. His disciples indeed could not agree among themselves what god he should be. Some would have it that he was Apollo

¹ Juliani Epist. xxxiv, xl, xli, liii, lx, lxi.
Pith. c. 2. p. 28. ² c. 2. p. 29. ³ Ibid.

⁴ Juliani Orat. IV. Orat. VII. ib.
⁵ P viii. ⁶ p. vi, vii, viii.

⁷ Jambl. Vit.
⁸ P. 43.—*Orig. Notes.*

Pythius;¹ others, that he was Apollo Hyperboreus; others, that he was Esculapius; others, that he was one of the dæmons that dwelt in the moon. They that said he was Apollo, seemed to be the greatest number; and they had the greatest authority on their side,² even his own; for so Pythagoras himself told Abaris [to entitle himself to the money as we have shewn³] that he was the very god himself: And proved it by shewing him his golden thigh, such, as it seems, Abaris had told him that the image of his god had in Scythia. But then, lest Abaris should ask him what he made here?⁴ Pythagoras added, that he put on human shape, that men might not be afraid to converse with him; as they would, if they knew the excellence of his person, and so they would deprive themselves of the benefit of his doctrine.

Such stuff as this runs through his book; which, being written for the deifying of an impostor, plainly shewed that the design of it was to banter the gospel of Christ. He begins, like one of the heathen poets, with invoking the gods, and Pythagoras, to assist him in the work. How he ended it we cannot tell; for his book is imperfect. But probably he continued it with an account of this impostor's disciples, in imitation of the Acts of the Apostles. In short, as well for history, as for doctrinal matters, from one end to the other, it hath so much of the devil in it, that it seems to have been wholly written by his inspiration.

But all this I do acknowledge to have been a digression, as well as all the rest of what I have written, that doth not concern the writers of Pythagoras's life. For it was my proper business to shew of what credit they are as to matter of history. Now the two chief of those being Porphyry and Jamblichus, who were great philosophers themselves, and such great admirers of Pythagoras, as they shew in the writing of his life, one ought to expect they would have taken care to gather all that was true of him out of all the former historians, and to have mingled nothing with it that was inconsistent with the truth of history. How well they have performed this in other respects, I shall not take upon me to examine. But I shall take account of it only as to matter of chronology. And that I think sufficiently sheweth how much at random it is that Jamblichus pretends to give the years of Pythagoras's life, and his chief actions and events: And also how grossly both he, and Porphyry before him, have abused their readers in the accounts that they give us of his principal disciples.

As to the years of Pythagoras's life, Jamblichus tells us, that it was much about his eighteenth year that he set out to travel:⁵ And that after some time, (which I take to be four years) spent in other countries, he came into Egypt, and there he stayed twenty-two years.⁶ He goes on, and says, that the philosopher being taken there by Cambyse's soldiers, was carried to Babylon, and there he stayed twelve years; and then returned home to Samos, being now about fifty-six years old. There he stayed for some time, (it should seem for another four years) and then in Olympiad LXII. he went into Italy.⁷ There, he says, he governed his school forty years wanting one,⁸ and lived in all very near an hundred years.

So distinct an account as this is of the years of Pythagoras's life, whereof there is not the least item in any of the ancients writers, did, I confess, not a little rejoice me, when I first met with it; and so much the more, because of two certain notations of time, by which, if they were true, all those years might be reduced to the like certainty. There is nothing better known in ancient history, than the year of Cambyse's conquering Egypt. We are certain it was in the end of the third year, or the beginning of the fourth of Olymp. LXIV. So that, according to Jamblichus, this was the very year of Pythagoras's being carried to Babylon. And the time of his going into Italy is as certain, according to Jamblichus, who saith it was Olymp. LXII. wherein

¹ c. 27. p. 127.

² c. 19. p. 94.

³ P. xiii.

⁴ c. 19. p. 94.

⁵ c. 2. p. 31. l. 5.

⁶ c. 4. p. 36. l. 27. c. 4. ending c. 5. beginning.

⁷ c. 7. p. 47. l. 23.

⁸ c. 36. p. 220. l. 4.—*Orig. Notes.*

Eryxias was victor. There is plainly six years distance of time between these years that are here mentioned. And the same, one would think, there should be between his being carried to Babylon and his going into Italy. But that cannot be Jamblichus's meaning. For he saith, it was twelve years that Pythagoras staid at Babylon, and then, to make up his life very near an hundred years, as Jamblichus reckons it, there must be three or four years more that he stayed in Crete, and at Samos, before he went into Italy. Add these to the twelve years before mentioned, and they make some fifteen or sixteen years. And yet here Jamblichus makes his going into Italy to be in Olymp. LXII. that is, to be six or seven years before the certain time of his being carried to Babylon, which must be in the third or fourth year of Olymp. LXIII. if he was carried thither by the forces of Cambyses, as Jamblichus tells us. So, in short, he brings Pythagoras captive to Babylon some fifteen or sixteen years before his going to Italy; and yet he makes his going into Italy six or seven years before his being carried to Babylon. Here are two of the chief accounts of time in his history which so manifestly contradict one another, that to believe him in both is impossible.

This is a great disappointment, but it will make us some part of amends, if there be any truth in either of them. To begin with that which he saith of Pythagoras's being taken in Egypt by the soldiers of King Cambyses, that must be in the third or fourth year of Olymp. LXIII. as I have shewn. But as herein he contradicts himself in his other notation of time, so in this he doth not agree with the ancients writers, who generally speak of Pythagoras's coming from Babylon to Samos, and his going from thence into Italy, before the reign of Cambyses. Now that he that lived near eight hundred years after those times, should presume to publish this to the world, without naming any author for it, but as if he had said it of his own knowledge, this I cannot look upon as any other than a very impudent fiction. As for that which he said of Pythagoras's going into Italy in Olymp. LXII., it is very likely he had authors that said something like it. There are enough that say he was there in Olymp. LXII.; and it is very likely Jamblichus might mistake them, and that might occasion him to say that Pythagoras went thither at that time. This is the best I can say of it. And so, in short, I have lost all the joy that I had of both his discoveries. For, having examined them, I see the last is a mere blunder, the former a bold fiction, and they both contradict one another. What credit can one give to such an historian?

For his account of the disciples of Pythagoras, he takes what he will out of the rude heap that his master Porphyry had thrown together, and much more he adds very lavishly out of his own head.

Zamolxis the law-giver of the Getes, they will have to be one of Pythagoras's disciples. Porphyry makes him one of the first. For he saith, that Zamolxis being yet a boy, was brought out of Thrace by the father of our philosopher,¹ who gave him to his son, and he taught him all matters of religion. Jamblichus owns he was a slave to Pythagoras; who, as he says, taught him, and then gave him his liberty.² And yet he had reckoned him before among the young men that came to be disciples to Pythagoras in his old age. All this is true alike. For Herodotus,³ that lived among them, who remembered Pythagoras, saith Zamolxis was much ancients than he. And therefore Jamblichus was once in the right, though perhaps it was through forgetfulness, when he left him out of the catalogue of Pythagoras's disciples.

Zaleucus and Charondas he hath in the catalogue; for which he hath not only Porphyry on his side, who tells us from Nicomachus, that by these he gave laws to their people,⁴ but also in Diogenes Laertius there is a mention of them to this purpose. But Jamblichus of his own head reckons both these among them that came young to be Py-

¹ c. 30. p. 154. l. 22.
p. 103. l. 11, 15.—*Orig. Notes.*

² c. 23. p. 103. l. 15.

³ Herodot. IV. 56.

⁴ c. 23.

thagoras's disciples when he was old : Which is no truer of them than of Zamolxis ; for these also were much ancients than Pythagoras. Zaleucus lived Olymp. XXIX, according to Eusebius's Chronicon. Of Charondas¹ you have shewn that he was the scholar of Zaleucus, or as others say, older than he. So that, if these three were Pythagoras's disciples it must have been some time after the wars of Troy, before his soul came into that Samian body of his ; which, if it could be made out, would be a wonderful proof of his doctrine of transmigration.

They reckon three other disciples of Pythagoras, on whom he set no ordinary value, if it be true that they tell us of the names that he gave them. These three were Epimenides, by him surnamed Purgur ;² Empedocles, called Wind-Charmer ; and Abaris called Sky-Rider. And very fine stories they tell of the reasons of his giving them these names ; all tending to this, that he imparted to them some of those romantic powers which these historians were pleased to ascribe to Pythagoras. I indeed called them lies, but I shall ask their pardon, if I do not prove that they belie Pythagoras in what they say of these his disciples.

First, for Epimenides, whom Porphyry and Jamblichus do reckon among his disciples,³ there is much more probability in what Laertius says, that makes him one of the masters of Pythagoras.⁴ But certainly Jamblichus overshot himself, in saying that he also came a young man when Pythagoras was old. And both he and his master are extravagant in making Pythagoras teach him to conjure. For Epimenides, as all writers agree, had purged Athens, whence he had the name Καθάρτης, before he could see Pythagoras, who, as they say, gave him that name. And he was a very old man when he died. And that was either before Pythagoras was born, or not many years after. See my account of him in the year 594 before Christ.

To fetch Empedocles into his school, they seem to stretch hard on the other hand. For though all agree that he was of the Pythagorean sect, yet that ever he was taught by Pythagoras, seems very improbable.⁵ That Alcidas said this is true ; but he makes Empedocles a hearer of Anaxagoras, either first, or together with Pythagoras. This could not be, because Pythagoras was dead, either before, or a very little after the birth of Anaxagoras. See my account of him in the year 500 before Christ. But that Empedocles came too late into the world to be at all a disciple of Pythagoras, it sufficiently appears by the accounts we have of him in D Laertius,⁶ who saith, that they flourished in Olymp. LXXXIV. and that Aristotle saith he died at fifty years old ; though others, of less credit, say, he lived seventy-seven or an hundred and nine years. But if he was in the flower of his age in the LXXXIVth Olympiad, that is, above sixty years after Olymp. LXVII. 3. in which I place the death of Pythagoras ; or placing it in Olymp LXX. 4. which is but nine years after, and that is the lowest I can go ;⁷ I must needs say, Empedocles was a very young conjurer, or he flourished in a very old age ; or, which I rather believe, there is no credit to be given to these two historians.

This will farther appear by the account they give of Abaris, whom also they make a great conjurer, and trained up to it by Pythagoras.⁸ So much Porphyry had said. But Jamblichus much outdoes his master. For having told us that Abaris came for improvement in knowledge in Greece, he saith, that in his way home from thence, being now well stricken in years, he came to see Pythagoras in Italy.⁹ There he gave Pythagoras the arrow, upon which he used to ride aloft in the air ; though elsewhere he saith Pythagoras took away his arrow, and kept it till he made him confess all he cared to know of him. When there, in Italy,¹⁰ they had spent as much time together,

¹ Dissert. p. 396.
127, 128. p. ix.

² Καθάρτης. Αλεξάνδρου. ³ VIII. 3.

⁴ Porph. Vit. Pyth. p. 193. Jambl. c. 28. p. 25. p. 103. l. 15.

⁵ D. Laert. VIII. 56. *Ibidem.*

⁶ VIII. 74. ⁷ Αλεξάνδρου. ⁸ Αιτροβάτης.

⁹ c. 19. p. 92. l. 32. p. 93. l. 10.

¹⁰ c. 28.

p. 131. l. 28.—*Orig. Notes.*

as Jamblichus pleased, then he brings them to Agrigentum in Sicily; and there he sets them to try if they can work any good upon Phalaris. In his thirty-second chapter Jamblichus sheweth his talent in the making of speeches for them, and of answers for Phalaris, till they came to be upon ill terms. Then he makes Phalaris resolve to kill them both; and he makes them for prevention set the people against him; by whom, he saith, Phalaris was killed the same day that he had determined to kill both Pythagoras and Abaris.

Now, this is so fine a romance, that it is pity there should be no truth in it; but only that there was such a city, and that there were such persons. It is civil to grant that in the time of Pythagoras there was such a one as Abaris living, though authors differ much about the time of his coming into Greece. For as Harpocration tells us, Hippostratus placed it in Olymp. III., others in Olymp. XXI. Pindar in the time of King Croesus; and Euseb. Chronicon hath it twice, namely, there, and in Olymp. LXXXII. But granting that Abaris was in Greece in Croesus's time, which is the only time that consists with Jamblichus's story; then, according to Euseb. Chronicon, his coming was in Olymp. LIV., 2. that was while Pythagoras was abroad in his travels, according to Jamblichus's account, which makes his coming into Italy to be in Olymp. LXII.; that is, full thirty years after. By this time, Abaris, though he came out of Greece with him, must needs be very well stricken in years; much more, if he came after Pythagoras was settled in Italy. But what becomes of Phalaris in the meanwhile? See in my account, 572 before Christ. There it appears, the latest we can bring Phalaris to die is in Olymp. LVII., 4. that is, sixteen years before Jamblichus makes Pythagoras come into Italy. After this, Phalaris could neither kill, nor be killed, but in a romance; and I take all this story of Jamblichus to be no other.

For the rest of the two hundred and eighteen names of disciples in his catalogue,² I can bring none of them within the time of Pythagoras's life, but Milo and Parmenides, whom I mention in my account in the years 539 and 504 before Christ. There are scarce two more of them that ever saw Pythagoras, for ought that appears in any good author; though here are the names of several more that were philosophers of the Pythagorean sect. Yet even these, together with them before mentioned, will not make up the odd number of eighteen. For the other two hundred, I take them to be insignificant names, invented by Jamblichus only out of vain ostentation.

To conclude, I do not lay any weight at all upon the testimony of Jamblichus, nor much on that of his master Porphyry, where he doth not mention his author. But I quote them sometimes in the following account, as in a history of the British kings I would Geoffry of Monmouth. But then naming my author, for want of a better, where I think what he says may be true, I should leave all I said from him to the reader, with a perfect indifference whether he believed him or not. With the like indifference, as to every thing but what I have scripture for, I commit these papers into your hands; esiring you to take them only as my opinion, which is all that you ask of,

Sir,

Your affectionate friend and servant,

W. COV. and LICH.

March 30, 1699.

² c. 36. p. 221, &c.

A Chronological Account of the Life of Pythagoras, and of other famous Men his Contemporaries.

N is here put for the birth, and
O for the death of any person.

Of Pythagoras, the Samian philosopher, there is nothing said by any of the ancients, that I know, which can make us think he was born before Olympiad XLIII. save only that of Plin. Nat. Hist. ii. 8. who says, that in Olympiad XLII. and U. C. 142. he first found that Venus was sometimes the morning star, and sometimes the evening star. But it is not improbable that in this Pliny might mistake Pythagoras for his master Thales, of whom see the year 585 before Christ.

Years before Christ 605. Olympiad 43, 3, 4.

N. Pythagoras born this year, if he was the same that is here mentioned in the year 588 before Christ. This year also suits best with Antiochus's account, which follows in 583 before Christ.

Years before Christ 604. Olympiad 44.

O. Nabopolassar King of Babylon. Next his son Nabocolassar or Nebuchadnezzar, who had reigned about two years with his father. This year, January 21, was his first thoth, according to Ptol. Canon.

Years before Christ 600. Olympiad 45.

N. Pherecydes born this year. Suidas. He was born in the Isle of Syrus, one of the Cyclades. Strabo x. Pythagoras was at first his disciple. Cicero Tusc. Qu. 1. Diod. Sic. Excerpt. and many others.

Years before Christ 594, 3. Olympiad 46, 3.

Solon was this year archon at Athens. Diog. Laert. from Sosicrates. So Euseb. Chronicon in 1 MS. Clem. Alexandr. *sp. α.* saith, he was archon in Olympiad XLVI.

He made his laws in the time of Tarquinius Priscus. A. Gellius xvii. 21. He made them the year that he was archon, and that with the help of Epimenides, who came thither from Crete, and having expiated the city in Olympiad XLIV. as Suidas saith, or in Olympiad XLV. as Eus. Chron. Pontaci, or Olympiad XLVI. as Laertius, returned home, and died soon after. D. Laert. l. 110. being 154 years old, as Xenophanes said he had heard, *ib.* iii. of Xenophanes; see in the year 540 before Christ.

Years before Christ 592. Olympiad 47.

Anacharsis Scythia now came to Athens, Eucrates being archon. D. Laert. l. 101.

Years before Christ 588. Olympiad 48.

Pythagoras Samius offered himself to play at fisticuffs among the boys at the Olympic games; but having long hair and wearing purple, he was rejected with reproach. Therefore he went from them among the men; and there offering himself at the same exercise, he was victor. This was our philosopher, according to D. Laert. viii. 48. who hath all this from Eratosthenes, Favorinus, and Theætetus. Jamblichus hath the same, and many others. Eratosthenes says farther, that our philosopher was the first that boxed according to art. Yet Diogenes Laertius cites a poet that saith this was Pythagoras, son of Crateus. Hesychius saith, they are mistaken that think it was the philosopher.

Pythagoras's Age 1. Years before Christ 586, 5. Olympiad 48, 3.

N. Pythagoras, son of Mnesarchus (descended from Hippasus, who was formerly of Phlius) by Pythais, who was descended from Ancæus, one of the planters of Samos. There most writers say he was born, though Porphyry would have him born at Tyre, and Jamblichus at Sidon, perhaps as being the ancients city. It seems there were other pretenders to the honour of being his countrymen; for Joseph. in Ap. ii. saith, it is as hard to tell his country as Homer's. But yet it is harder to tell the year of his birth. I am doubtful whether it ought not to be the year 605 before Christ. But I rather place it here, for reasons that will appear afterwards in the years 506 and 497 before Christ.

Pythagoras's Age 2. Years before Christ 585. Olympiad 48, 4.

O. Periander died 40 years before Cræsus, and one year before Olympiad XLIX. D. Laert. i. 95. from Sosicrates.

He had reigned at Corinth 44 years. Arist. Pol. v. 12. Of the seven wise men of Greece, he was the first that died. The other six were Thales, Solon, Cleobulus, Chilo, Bias, and Pittacus, thus reckoned by Diog. Laert. Proem. 13. and i. 40. 1, 2.

Thales this year foretold an eclipse of the sun. He was the first among the Greeks that could do this. Cicero de Divin. i.

Pythagoras's Age 4. Years before Christ 583, 2. Olympiad 49, 2.

Pythagoræ ηλικία, according to Antiochus, who, in his History of Learned Men, reckoned 312 years from hence to Epicurus's death, which was (270 years before Christ) Olympiad CXXVII. 2 Gamelion 10. Cic. de fato. D. Laert. x. 15. and Clem. Alex. p. α.

Pythagoras's Age 7. Years before Christ 580, 79. Olympiad 50

N. Aristeas Proconnesius was born this Olympiad. Suidas.

It was after Olympiad I. that Pythagoras came into Italy, saith D. Halicarn. lib. ii. p. 120 But H. Valesius and Menagius think this a mistake of Olympiad ᾠ instead of Olympiad ζ.

Pythagoras's Age 9. Years before Christ 578. Olympiad 50, 3.

O. Tarquinius Priscus died. Next King Servius Tullius. Dion. Hal. iii.

Pythagoras's Age 15. Years before Christ 572. Olympiad 52.

Began the tyranny of Phalaris, according to Suidas, and Eus. Chron. Pontaci, who saith it continued sixteen years. Eus. Chron. in a former account hath his tyranny, according to Scaliger's edition, beginning Olympiad XXXI. 2. and ending Olympiad XXXVIII. 2. Here also, according to Scaliger, it should be LIII. 4.

Anacreon Teius lived in this Olympiad. It was in Polycrates time. Suidas. Æsop the fable maker now flourished. D. Laert. i. 72.

Pythagoras's Age 17. Years before Christ 570. Olympiad 52, 3.

Pittacus died at Mitylene. D. Laert. i. 79.

Pythagoras's Age 17. Years before Christ 568, 7. Olympiad 52, 1.

Pythagoras being eighteen years old, went to travel as on the account of his studies. Jamblichus, c. 2. for which, by Thales. he was advised to go to Egypt. *ib.* D. Laert. viii. 2. saith, he was then a young man, and addicted to learning. But his going for Egypt was to avoid the growing tyranny of Polycrates. Strabo, xiv. and Jamblichus,

c. 2. Yet Polycrates writ a letter in his commendation to King Amasis, being his friend, and Hospes, desiring him to get him instructed by the Egyptian priests. D. Laert. and Porph. from Antipho. Jamblichus, c. 2. saith, he went first to Pherecydes, then to Anaximander, then to Thales, *ib.* c. 3. then to Sidon, to Byblus, to Tyre, and many other cities of Syria, in all which places he was initiated. Then he took ship for Egypt; but by the way he landed, and went up to Mount Carmel. Jamblichus, c. 3.

He came into Egypt. Isocr. de laud. Busiridis. Cic. de finibus v. Str. xiv. Plin. xxv. 2. Lucian, Tatian, Clem. Alex. He gave Polycrates's letter to Amasis, and obtained Amasis's letter to the Egyptian priests. D. Laert. and Porph. from Antipho. With this letter he came first to them of Heliopolis; they sent him to them of Memphis, their seniors; they to the Diosopolites, who at first were very shy; but, fearing to displease Amasis, they undertook him, thinking at first to baulk him with their austerities: But he underwent all, saith Porphyry from Antipho. He was circumcised, and initiated in their sacred rites. Clement. Alex. *sp. α.* He learned the Egyptian language, he learned their three sorts of letters. They admitted him to their sacrifices, and exercises of learning, which none ever obtained before. D. Laert. from Antipho. He learned of their priests the manner of their sacrifices, and their religious rites. Isocr. de l. Busir. He read the books of their ancient priests, Clem. Alex. He learned their geometry and astronomy. Jambl. c. 4. He got the observations of infinite ages. Valer. Maximus, viii. 7. He was in Egypt a long time, as all confess. Plut. Q. Symposiac, viii. 8. Twenty-two years, saith Jambl. c. 4. This I believe was all the time of his eastern travels. He also went to the King of Arabia, and learned all he could there. Porph.

Strabo xiv. p. 439. 18. &c. saith, from Egypt he went to Babylon. There he was with the Chaldees and Magi. D. Laert. There at Babylon he learned of several of the Chaldees; particularly of Zabratius, by whom he was purged from all the defilements of his former life. Porph. He was disciple of Nazaratus the Assyrian. Clem. Alex. *sp. α.* He went to the Persian Magi. Cic. de finibus v. Pliny xxv. 2. Of them he learned matters of their religion, and way of living. D. Laert. from Lycus. There he came to learn and understand the Jewish knowledge, particularly their oniromancy. Porphyry from Diogen.

¶ In his return from Babylon, he came to Crete to get Minos's laws. Just. v. 4. After his being with the Chaldees and Magi, he was there in Crete with Epimenides. D. Laert. viii. 3. He was purged by the priests of Morgus, one of the Idæan Dactyli. Porph. He went into the Idæan cave. *ib.* The priests there have the verses that he made on the sepulchre of Jupiter. *ib.*

After his return from Babylon, he came home to Samos. Strabo xiv. so D. Laert. and Porph. from Antipho. There he opened a school in a place called in Antipho's time, Pythagoræ Hemicyclus. D. Laert. and Porph. from Antipho. There he also had a cave without the town, into which he retired for his studies. *id.* and *id.* This is the sum of what we read in the life of Pythagoras for the space of twenty-two years, that is, as I account it, from the year before Christ 568, till the year 546 before Christ.

Pythagoras's Age 24. Years before Christ 563, 2. Olympiad 54, 2.

Abaris, priest of Apollo Hyperboreus, came into Greece. Eus. Chron. Scaligeri, and two MSS. Other MSS. bring him ten years sooner. Harpocraton from Pindar saith, he came in the time of Cræsus.

Years before Christ 562. Olympiad 54, 2, 3.

The first comedy at Athens was made by Susarion, and acted upon a moveable scaffold. Chron. Marmor.

Years before Christ 561. Olympiad 54, 3, 4.

O. Nabocolasser or Nebuchadnezzar King of Babylon. Next his son Iluarodam, or Evil Merodach. This year, January 11, was his first thoth according to Ptolomy's canon.

Pythagoras's Age 25. Years before Christ 561. Olympiad 54, 3, 4.

Cræsus began his reign of fourteen years. Herod. i. 86.

Pisistratus was now tyrant at Athens. Chron. Marm.

O. Æsop died. Eus. Chron.

Cleobulus was yet living at Lindus, if his epistle to Solon be true, which we have in D. Laert. i. 93.

Pythagoras's Age 26. Years before Christ 560. Olympiad 55.

O. Astyages King of Media. Next his son Cyaxares. Xen. i. Scripture calls him Darius the Mede. Africanus saith, all agree that Cyrus son of Cambyses by Mandane, daughter of Astyages, began his reign over the Persians in Olympiad LV.

Years before Christ 559. Olympiad 55, 1, 2.

O. Iluarodam killed by his sister's husband Neriglissoroor. Beros. Next King of Babylon, this Neriglissoroor or Nergalsharezer. His first thoth was Jan. 10, this year in Ptol. canon.

Pythagoras's Age 27. Years before Christ 559. Olympiad 55, 1, 2.

O. Solon died in Cyprus this spring. See it proved in USS. Annals. He died at Pisistrati Plut. in Solon.

Pythagoras's Age 30. Years before Christ 557. Olympiad 55, 4.

N. Simonides born this year; for he was eighty years old in Olympiad LXXVI. when Adimantus was archon, as himself saith; and so Chron. Marm.

Pythagoras's Age 31. Years before Christ 556. Olympiad 56.

O. Phalaris died this year, if he began as is above-said, in Olympiad LII. or if in Olympiad LIII 4. then he died seven years later. The people of Agrigentum rose against him and killed him. Cic. Offic. xi.

O. Stesichorus died this year. Suidas. The lowest account of his death in Eus. Chron. is Olympiad LVI. 2. the highest is Olympiad LIV. 4.

This year Euthydemus was archon at Athens. Chron. Marm. And the year that he was archon, Chilo was ephorus at Lacedæmon. D. Laert. i. 68. from Sosicrates.

Years before Christ 555. Olympiad 56, 2.

O. Laborosoarchod, son of Neriglissoroor, having reigned nine months after his father. Next King of Babylon, Nobonadius or Labynitus, called Belshazzar in scripture. His first thoth was January 9, according to Ptol. canon.

Pythagoras's Age 36. Years before Christ 551. Olympiad 57, 2.

N. Confucius born this year, the great philosopher of the Chinese. Martin. Hist. Sin.

Pythagoras's Age 39. Years before Christ 548. Olympiad 58.

Cræsus passed over the river Halys on a bridge built by the art of Thales. Herod. i. 75. and so lost himself and his kingdom, after fourteen years reign. Herod. i. 86, that was this year according to my account from Herodotus.

O. Thales died this year, saith D. Laert. i. 38. and Eus. Chron. Scal. and Pont. from 4 MSS. He was born in Olympiad XXXV. and died ninety years old. D. Laert. i. 38. ninety-one years old, saith Chron. Paschale.

Anaximander succeeded him in the Ionic school. D. Laert. Proœm.

Now flourished Lasus of Hermione, that first wrote of Music. Schol. Arist. in Vespas.

Pythagoras's Age 40. Years before Christ 547. Olympiad 58, 2.

Now Anaximander was famous, being 64 years old; and he died a little after, saith Diog. Laert. ii. 2. from Apollodorus. He flourished chiefly under Polycrates, tyrant of Samos, ib. Xenophanes lived in his time. D. Laert. ix. 18. But his successor in the school was Anaximenes.

Pythagoras's Age 41. Years before Christ 546, 5. Olympiad 58, 3.

Xanthu, the Indian historian, lived at the time when Sardes was taken. Suidas.

Pythagoras being 40 years old, and seeing it was not for a freeman to live in his country, under the tyranny of Polycrates, which was now stricter than formerly, thereupon thought of going into Italy. D. Laert. and Porph. from Aristoxenus, and Strabo, xiv. without the year.

In his way thither he went to Delos, where he writ those verses on Apollo's sepulchre. Porph. from Diog. He went to Lacedæmon for the laws of Lycurgus. Just. v. 4. He came to Phlius the ancient country of his family; there being asked by Leo, tyrant of that city, what profession he was of, he said, of none; but that he was a philosopher. See the rest in Cic. Tusc. Qu. v. or in D. Laert. Proœm, 12. who saith this was at Sycion, and who makes Leo tyrant of Sicyon and Phlius. Both Cic. and D. Laert. Proœm. have it from Heraclides. But D. Laert. viii. 8. hath much the same story from Sosicrates. Pythagoras went also to Delphi, to give the more authority to his laws, by pretending that he received them from Theoclea, or Theomistoclea, the priestess of Apollo in that place. D. Laert. viii. 7, 12. from Aristoxenus. Porphyry calls his Aristoclea.

Being come into Italy, he lived there all the rest of his life: Strabo, xiv. He taught there forty years wanting one, saith Jam. c 36. who makes his whole life very near a hundred years, ib. He staid twenty years at Croton, then went to Metapontum, where he died: Justin, xx. 5. At Croton he began the Italic school, which grew old at Metapontum, saith Clem. Alex. *ερ. α.* Croton was then in great glory, for having so many of Pythagoras's scholars in it, among whom was Milo, the most famous Athletæ. Strabo, iv.

Dion. Halicarn. saith Pythagoras was in his *αυμη*, four generations after Numa. It is to be considered, whether he reckons from the beginning of his reign, which was in Olymp. xvi. 3. or whether from the end, which was Olymp. xxvii. 1. Plut. in the Life of Numa, saith, Pythagoras came into Italy almost five ages after Numa. Livy, i. 18. saith, he came into Italy above one hundred years after Numa; accounting no doubt from his death, in 672 before Christ. Livy saith farther, it is certain, that in the time of Servius Tullius, Pythagoras had his colleges of disciples at Metapontum, Heraclea, and Croton, as above-mentioned.

Pythagoras's Age, 42. Years before Christ 545. Olympiad 58, 4.

Now the Medes were coming up against the Ionians, of which Anaximenes writes to Pythagoras, who was then at Croton, and had his house full of scholars, out of Italy and Sicily, if the epistle be genuine. D. Laert. ii, 5.

Pythagoras's Age 43. Years before Christ 544. Olympiad 59.

Pherecydes was yet living, D. Laert. i. 121. Now he flourished according to Eus.

Chron. He lived in the time of my Gentilis, (that is, of Servius Tullius,) saith Cicero, Tusc. Qu. i.

Theognis the poet of Megara flourished now. Eus. Chron. Pontaci.

Pythagoras's Age 46. Years before Christ 541. Olympiad 59, 4.

Bias was yet living, if that be true which is said of him in Herod. i. that he advised the Iones to leave their country to the Medes, and go all to Sardinia.

Pythagoras's Age 47. Years before Christ 540. Olympiad 60.

Pythagoras now flourished. D. Laert. viii. 45.

Now also Xenophanes Colophonius flourished, D. Laert. ix. 20. of whom see before in five hundred forty-seven before Christ. He was now at least eighty years old, according to Sextus Empiricus, and Clem. Alex. from Apollodor. that place him in Olymp. xl. But he was a writer till after he was ninety-eight years old. D. Laert. ix. 19.

Now Ibycus, the poet of Rhegium, came to Samos. Eus. Chron. Scalig. and Pontac.

Years before Christ 538. Olympiad 60, 2. 3.

After Belshazzar's being slain in the taking of Babylon, by the armies of Darius and Cyrus, the next king of Babylon was Darius or Cyaxares, according to Xenophon. His reign being short, he is omitted in the canon, and there the next is Cyrus, whose thoth was Jan. 5.

Years before Christ 536. Olympiad 61.

O. Cambyses father of Cyrus in Persia, and O. Cyaxares in Media. Xenophon viii. according to whom, this is the first of the seven years reign of Cyrus at Babylon.

Pythagoras's Age 51. Years before Christ 536. Olympiad 61.

Pythagoras was now famous in Italy, Thericles being archon at Athens. Diod. Sic. Excerpta. p. 241.

The first tragedy at Athens, was made by Thespiis, and acted on a waggon, Olympiad lxi. See Chron. Marm.

Pythagoras's Age 53. Years before Christ 534. Olympiad 61, 3.

O. Servius Tullius died this year. Liv. i. 48. After whom the next Roman king was Tarquinius Superbus. In this Tarquin's time, Pythagoras came into Italy according to Cic. Tusc. Qu. i. and A. Gellius, xvii. 21.

Pythagoras's Age 55. Years before Christ 532. Olympiad 62.

Eus. Chron. hath this year Polycrates, and his two brothers Syloson, and Pantagnotus, tyrants together at Samos. But Polycrates drove out his two brothers soon after. Now in Polycrates's time Pythagoras flourished. Tatian. p. 174. B. Clem. Alex. 59. a. Cyril. contra Julian. ii. In this Olympiad, in which Eryxias was victor, Pythagoras came into Italy, saith Jambl. c. 7. He was now famous, saith Eus. Chron.

Pythagoras's Age 58. Years before Christ 529. Olympiad 62, 3, 4.

Cyrus being now dead, his son Cambyses is king of Persia. His first thoth was Jan. 3, according to Ptol. canon.

Pythagoras's Age 59. Years before Christ 528. Olympiad 63.

O. Pisistratus, tyrant of Athens, died after a reign of thirty-three years, though twice interrupted in that time. Arist. Polit. v. 12. Next was his son Hipparchus,

a great lover of learning. He first brought Homer's poems to Athens. Plato in Hipparcho.

Pythagoras's Age 60. Years before Christ 527. Olympiad 63, 1, 2.

According to Justin, xx, 5. Pythagoras, after he had been twenty years in Italy, removed from Croton to Metapontum, and died there. It was at Metapontum, that, as the fablers say, having taking his disciple Abaris's arrow, he rode upon it in the air from thence to Taurominium in one day, though some days sailing distant from one another. Porph. and Jamb. they tell us that there, at Metapontum, he had a noble house, which was afterwards the temple of Ceres, and a school, which was called the Museum. Jambl. c. 30.

Pythagoras's Age 62. Years before Christ 525. Olympiad 63, 3, 4.

O. Amasis King of Egypt. He died Olympiad lxiii. 3. when Cambyses was coming against Egypt. Diod. Sic. i. The next king, Psammenitus, after six months was killed, and Egypt conquered by Cambyses. Herod. iii.

Pythagoras's Age 62. Years before Christ 525. Olympiad 63, 4.

N. The poet Æschylus was born. Chr. Marm.

Pythagoras's Age 64. Years before Christ 523. Olympiad 64, 2.

O. Polycrates, tyrant of Samos, died a few days before Cambyses King of Persia. Herod. iii. 120. about V. C. 238. Plin. xxxiii, i.

Years before Christ 522. Olympiad 64, 2, 3.

O. Cambyses King of Persia. Next king, Smerdis Magus, was killed after seven months. Next was Darius, son of Hystaspes. His first thoth was 521. Jan. 1, according to Ptolemy's canon.

Pythagoras's Age 67. Years before Christ 520. Olympiad 65.

N. The poet Pindar was born at Suidas.

Pythagoras's Age 72. Years before Christ 515. Olympiad 66, 2.

O. Pherecydes died now, for he was born Olymp. xlv. Suid. and lived eighty-five years. Lucian in Macrob. he was eat up with lice. Arist. Hist. Animal. v. 30. and that for his blasphemy. Ælian. iv. 28. serpents came out of his body. Plin. vii. 5.

Pythagoras, who had been his disciple, now hearing that he was dying in Delos, went out of Italy thither, and did all he could to recover him; and when he was dead, buried him as his father, and then returned into Italy. Diod. Sic. Excerpt. That he died in Delos, see Apul. Florid. ii. Ælian iv. Hist. 28. Porph. and Jambl. Duris Samius saith he died in Samos, followed by D. Laert. i. 119. where also he quotes Heraclides for it. Porphyry saith, that Pythagoras went to Delos from Samos, and returned to Samos. But he saith afterwards, that it was in Pythagoras's absence on this occasion at Delos, that Cylon raised the mob, v. infra 497, 6. before Christ. (These things do not agree.)

Pythagoras's Age 74. Years before Christ 513. Olympiad 66, 4.

O. Hipparchus killed by Harmodius and Aristogiton. Thucid. i. and vi. Then was Pythagoras in Italy. A. Gell. xvii. 21.

Pythagoras's Age 78. Years before Christ 509. Olympiad 67, 4.

By Pythagoras's advice the people of Croton would not deliver up some of Sybaris, that had fled to their altars for protection against their own people; whereupon a

war followed, in which 300,000 of the Sybarites were overcome by Milo with 100,000 of Croton, who after this victory destroyed the city of Sybaris. Diod. St. Olympiad LXXXIII. 3. where he saith, this happened fifty-eight years before, and five years, that is, in all sixty-three years before. Therefore I place it in Olympiad LXVII. 4. This Milo was disciple of Pythagoras, and had been six times victor in the Olympic games, ib. and often at the other public games.

Pythagoras's Age 79. Years before Christ 508. Olympiad 68.

When Brutus delivered Rome, Pythagoras was yet in Italy, saith Cic. Tusc. Qu. iv. Solinus c. 16. by mistake saith, then he came into Italy.

Pythagoras's Age 81. Years before Christ 506, 5. Olympiad 68, 3.

O. Pythagoras died. Eus. Chron. in 2 MSS. having lived eighty years, according to his own account of the four parts of man's life, consisting each of twenty years. D. Laert. i. 44. from Heraclides. This account of his age Menage takes to be most likely, because Lucian doth not reckon Pythagoras among the long-lived men; as probably he would if Pythagoras had lived ninety years, as most say, according to D. Laert. ib. much more, if he had lived, as Jamblichus saith, very near 100; or as Tzetzes says (perhaps from Jamblichus) 100 wanting one; or according to the nameless writer in Photii Biblioth. ccxlix. 104 years; or, according to the nameless writer in Galen's works, 117 years,

But if the reader is not yet tired, I will go on with him to the end of the ninety years, which is as far as I see any ground.

Years before Christ 505, 4. Olympiad 68, 4.

Here the death of Pythagoras is placed in one MS of Eus. Chron.

Pythagoras's Age 83. Years before Christ 504. Olympiad 69.

Heraclitus now flourished. D. Laert. ix. beginning.

Parmenides now flourished. D. Laert. ix. 23.

Now Cynæthus Chius first rhapsodied Homer's verses. Schol. in Pindar. Nem. B.

Pythagoras's Age 85. Years before Christ 502. Olympiad 69, 2.

Hecateus the historian flourished; for now he endeavoured to dissuade Aristagoras from taking arms against Darius King of Persia. Herodot. v. 36.

Pythagoras's Age 87. Years before Christ 500. Olympiad 70.

N. Anaxagoras the philosopher born this year. D. Laert. xi. 7. from Apollodorus. This is confirmed by Democritus saying of himself, that he was forty years younger than Anaxagoras. D. Laert. v. 41. for Democritus was born Olympiad LXXX. ib.

Pythagoras's Age 89. Years before Christ 498, 7. Olympiad. 70, 3.

Mariana's copy of Eus. Chron. places the death of Pythagoras this year.

Pythagoras's Age 90. Years before Christ 497, 6. Olympiad 70, 4.

O. Pythagoras died, Eus. Chron. Scal. and Pontac. from 4 MSS. Most say he lived ninety years. D. Laert. iii. 44. The accounts of his death are various. The likeliest is that which we have in the Excerpta of Diod. Sic. Porphyry, and Jambl. c. xxxv. They tell how one Cylon of Croton, a rich, ambitious, boisterous man, having offered himself to be taken into the college, and being refused, was thereby so enraged, that he got the mob together, and fell upon Milo's house, when Pythagoras and his disciples were all there together, and burnt the house and all that were in it, except two or three that narrowly escaped. Some say Pythagoras was one of them that were burnt there;

others say, he escaped out of the fire and was killed in the pursuit; others, that he fled to Caulonia, thence to Locri, thence to Tarentum; but being no where received, at last he went to Metapontum, and there got into the Muse's temple, where, being kept from victuals forty days, he was starved. Hermippus, whom Josephus calleth the most eminent writer of Pythagoras's life, hath a most unlikely story of his death: He saith, that being engaged with the Agrigentines against the Syracusans, and his party being worsted, he was taken in flight, because he would not run over a bean-plot, and so was killed by the enemy. Diogenes Laertius hath an epigram on his death according to this story, which I think indeed is fitter for a poet than an historian.

After his death, those of his disciples that were living, are said to have been dispersed into Greece, and the neighbouring countries; and yet his family is said to have continued at or about Croton. His wife Theano was born there, according to Clem. Alex. from Didymus, and D. Laert. and Suidas. But Porphyry says she was of Crete. Some say, that she and her son Telauges revived or continued his school; others say it was done by Aristæus of Croton that married his daughter Theano. His son Arimnestus is mentioned by Porphyry from Duris Samius, and said to have taught Democritus the famous philosopher. Diogenes Laertius mentions his son Marmacus, and daughter Damo. Suidas seems to call that son Mnesarchus, and also mentions his daughter Arignote and Myia. Another daughter of his is called Sara. But of all these we have nothing looks like a certainty in my opinion.

A Table of all the accurate Remarks and new Discoveries, in the most learned and ingenious Mr Addison's Book of Travels.

This is a burlesque upon those passages in Addison's Travels which mention trite and well-known circumstances. They are certainly selected with some humour, but in no respect affect the real value of that elegant work.

WILD thyme, lavender, rosemary, balm, and myrtle, sometimes grow within a yard of each other, and are above five different sorts of plants, though some may vainly think they are only five in number, page 2.

How the captain of a ship fell upon his knees and confessed himself to a capuchin, 6.

Nothing makes men sharper, and sets their hands and wits more on work than want, 9.

How the Bishop of Salisbury ran down with the stream of the Tesin thirty miles in an hour, by the help but of one rower, 24.

How the outside of a church may sometimes look much whiter and fresher than the inside, 27.

A profusion of marble, though astonishing to strangers, is not very wonderful in a country that has many veins of it within its bowels: But though the stones are cheap, the working of them is very expensive, 27.

Little images make up the equipage of those that are larger, 28.

A picture in fresco of the marriage of Cana, very much esteemed ; but the painter, whether designedly or not, the author cannot tell, has put six fingers to one of the figures, 32.

The difference of manners proceeds chiefly from the difference of education, 44.

The agitations of the body don't only give the French a free and easy carriage, but have a kind of mechanical operation on the mind, 45.

In Spain there is something more serious and composed in the manner of the inhabitants than in France, 46.

Mirth is more apt to make proselytes than melancholy, *ibid.*

The reason why the common people of Italy have so very great an aversion to the French, is certainly the great difference that there is in the humours and manners of the two nations, *ibid.*

The principal motive among most of the Italians for their favouring the Germans above the French is this, viz. That they are entirely persuaded it is for their interest, 48.

White mulberry trees furnish food for great quantities of silk-worms with their leaves, as the swine and poultry consume their fruit, 60.

Bridges at Venice are without any fence, which would be a great inconveniency to a city less sober, 85.

Monuments erected to such as have been benefactors to Venice, are generally put up after their deaths, 87.

The author questions not but the secret history of a carnival at Venice would make a collection of very diverting novels, 96.

There are indeed many extraordinary ruins about Naples and Rome ; but the author believes a traveller would not be so much astonished at them, did he find any works of the same kind in his own country, 225.

'Tis probable the ancient sepulchres were adorned more or less, according to the quality of the dead, 229.

A dog that has his nose held in the vapour of the Grotto del Cani, dies in a very little time ; but if carried into the open air, or thrown into a neighbouring lake, he immediately recovers, 230.

The author observed how long a dog was dying the first time, and after his recovery, and found no sensible difference, 231.

A man in going up Mount Vesuvio sinks almost a foot in the earth, and generally loses half a step by sliding backwards, 238.

The next eruption of the Vesuvio will probably break in pieces its false bottom, and quite change the present face of things, 241.

Colour does not lie within the expression of the chisel, 330.

After a very turbulent and noisy course of several miles among the rocks and mountains, the Teverone falls into a valley, where it recovers its temper as it were by little and little, 373.

A shoemaker beatified, though never sanctified, 391.

The author had the good luck to be at Florence when there was an opera acted, which was the 8th he had seen in Italy, 408.

The author never saw any figure of sleep that was not of black marble, which has probably some relation to night, that is the proper season for rest, 416.

The statue of Venus of Medicis, much less than the life, as being perfectly naked, and in company of others of a larger make. It is, notwithstanding, as big as the ordinary size of a woman, as I concluded from the measure of her wrist ; for from the bigness of one part, it is easy to guess at all the rest, 420.

The Duke of Tuscany is not likely to have any legitimate children, because he lives

separate from the duchess, who is at present in France, and intends there to end her days, 424.

The author finds a difference betwixt the northern and the southern side of the mountains, 431.

A new stair case that strangers are generally carried to see, where the easiness of the ascent within so small a compass, the disposition of the lights, and the convenient landing, are admirably well contrived, 433.

The wars in Italy, and the season of the year, made the author travel faster than he would have done at any other time, *ibid.*

The story of Phaëton and his sisters, whom Ovid should have metamorphosed into laurel-trees and not into poplars, 438.

Water is of great use when a fire chanches to break out, 443.

The court of Turin is reckoned the most splendid and polite of any in Italy, but by reason of its being in mourning, the author could not see it in its magnificence, *ibid.*

One may easily trace out the marches armies make, by the ruin and desolation they leave behind them, 444.

The lake of Mount Ceunis is well stocked with trouts, 445.

The author saw in several parts of the Alps vast pits of snow, 459.

If it happens that any particular fountain takes its rise from any reservoirs of snow, it will naturally begin to flow on such hours of the day as the snow begins to melt, but as soon as the sun leaves it again to freeze and harden, the fountain dries up, and receives no more supplies till about the same time the next day, 460.

A cobbler of Lausanne had the casting vote for the life of a criminal, which he very graciously gave on the merciful side, 466.

The author thinks the Rhone guided by the particular hand of Providence, because it rises in the very heart of the Alps, and has a long valley that seems hewn out on purpose to give its waters a passage amidst so many rocks and mountains that are on all sides of it, 469.

Had this river been left to itself, it would never have found its way among the Alps, 470.

Snails are esteemed excellent food when well dressed, 474.

Snails nestle all the winter season, *ibid.*

A Switzerland barn, which neither mice nor any other sort of vermin can creep up the sides of, 476.

Though the publick walks that lie by the great church at Bern are as high as most steeples in England, yet about 40 years ago a person that was in his drink fell from the top to the bottom, without doing himself any other hurt than the breaking of an arm, *ibid.*

It is very well worth a traveller's while to look into all that lies in his way, 477.

Troughs of water in the roads, wonderfully commodious in a country that abounds with horses and cattle, 480.

How the author mistook linen on the ground for a lake, 490.

The Alps is the worst spot of ground in the world to make conquests in, 497.

The holiday cloaths of the people at Bern go from father to son, and are seldom worn out till the second or third generation; so that it is a common thing to see a countryman in the doublet and breeches of his great grandfather, 503.

The author has been told of an English merchant at Lisbon, that after some great disappointments in the world resolved to turn quaker or capuchin, 516.

The author's merchants advised him not to venture himself in the Duke of Bavaria's country.

The Manner of the Coronation of the present Pope Alexander VIII. and the Ceremonies thereunto belonging : together with the Order of Procession. In a Letter from a Gentleman then residing in Rome to his Friend at London.

Anno 1689.

SIR,

As concerning the manner of creating the popes, it hath been different, in divers times ; for in the primitive church only the clergy of Rome had power to make the election ; but this right afterwards descended to the emperor and the people : In the year 684, the emperor Constantine IVth parted with this power, and the clergy alone and the people created the pope ; but in the year 963, Pope Leo VIII. being driven from his seat by the Roman people, who bore, in those days, so little respect to the popes, that they used to treat 'em very evilly, and sometimes banish 'em, and sometimes even put 'em to death ; as they did Pope Leo III. Benedict VI. and Pope John XIV. Then did the emperor Otho II. reassume the right and power of electing the popes, which Constantine IV. had surrendered to the people, as aforesaid. The exarchs of Ravenna, lieutenants for the emperor in Italy, and the Roman people, had often great disputes together for the elections, the which caused schisms ; such as was that of Innocent II. against Anaclete II. the which obliged Victor IV. to assemble a general council at Rome, at St John of Lateran's ; where it was ordained, That the clergy alone should give their suffrages ; and Pope Celestine XXI. was the first that was created after this manner. But a little while after, this right and propriety was conferred upon the cardinals only ; and in the council of Lateran following, assembled by Pope Calistus III. it was then ordained, that two-thirds of the suffrages should be requisite and necessary for the creation of a pope. And in the end, at the second council-general held at Lyons, under Gregory X. it was concluded upon, amongst the rules and canons that were there and then made touching the ceremonies of electing and creating a pope, that the cardinals should be shut up in a conclave ; from whence they should not come forth until the election was ended ; which is performed after this manner following.

He that ought to be chosen is proposed in the conclave ; upon which proposition, the cardinals go to scrutiny, and finding the number of suffrages requisite, the masters of the ceremonies go to the cell of the cardinal that is elected, and declare to him the news of his exaltation ; after which they conduct him to the chapel of the conclave ; and being there vested in his pontifical habit, he there receives the respects which the cardinals are wont to render to the sovereign high-priests : After which, one cardinal, with one master of the ceremonies, go to the house of benediction, and there declare to the people his exaltation ; and thereupon immediately are heard the acclamations of ' Long live Pope Alexander ;' all the artillery being discharged, with the chiming of all the bells in the city.

Then the pope being set in his pontifical chair, is carried to St Peter's church, and is there placed upon the altar of the apostles, whither all the cardinals go a second time to do him homage ; and from thence his holiness is reconducted to his apartment, after having given benediction to the people : And some few days after, the ceremonies of his exaltation and coronation are performed in the same church of St Peter, after this manner following.

Upon the day of his holiness's coronation, all cardinals, ambassadors of kings, princes, &c. and the principal lords about the court, wait upon him at his apartment; from thence they accompany him to the church, and even into the sacristy; into which he is carried in a chair; and there his holiness is vested in his pontifical habit; and when he comes from thence he ascends a portable theatre, on which stands his pontifical chair, and is so carried up to the altar across the church, then very full of people, being assembled to see that ceremony: And in some parts of that church there are scaffolds set up for the chief lords and ladies and persons of quality: He is preceded by the cardinals and ambassadors, while all the people kneeling, echo forth their acclamations of Long live Pope A. At his coming out of the sacristy and his going to the aforesaid theatre, is performed the ceremony of setting fire to flax, being fastened to the end of a stick, and held up as high as his holiness's person, these words being pronounced, *Sancte pater, sic transit gloria mundi*: that is, Holy father, thus doth the glory of the world pass away. Being as an advertisement to him, that he suffer not his heart to be surprised with vanity at the exaltation, whilst he sees the people under his feet; the same ceremony is reiterated in the midst of the church; and again a third time performed when he is coming up to the altar.

Then is his holiness, after his coronation, to go in procession and take possession of the popedom, which is St John Lateran's church; for to perform which, he appoints what day he thinks convenient. On which day, the streets through which he is to pass are all hung with rich tapestry; and there are sometimes triumphant arches erected, representing the most remarkable actions of his holiness's life; and the order of the cavalcade (at which assist all the ambassadors and princes, and lords on horseback, all most richly apparell'd) was in this manner following:

The first that march are the pages of the guard-robcs of the cardinals, with their valises; then the serjeants and mace-bearers; then the gentlemen belonging to the ambassadors and cardinals, with the principal lords and barons of Rome; and these go in an irregular and disorderly manner, because they will avoid all disputes of precedence that may happen.

Then follow next his holiness's esquires, as also his taylor, and the barber that carries his valise; then come twenty hackneys, four mules, three litters, with the master of the stable, and his holiness's six trumpeters; then follow after the adjutants of the chamber, and the chamberlains, *extra muros*; then the consistorial advocates; the officers of the palace, with the commissary of the chamber, and the attorney-general; after whom follow the chamberlains of honour, and the pope's secret chamberlains; four of which carry four of the pope's hats, with staves covered with red velvet; then come sixty Roman gentlemen, in antic bonnets and habits. The prelates follow these, who are the abbreviators *di parco Maggiore*, i. e. the auditors of the Rota; and the master of the sacred palace on the left hand of the dean of the Rota, and the ambassador of Bologna. After these march the magistrates of the Roman people, being preceded by four young gentlemen, named mareschals: Then thirteen captains of the several quarters of Rome, and their prior, between the two chancellors of Rome.

And after these the three conservators, that is to say, the chief of the family of the Colones, the chief of the family of Ursins, and the nephews and brothers of the pope.

Then the ambassadors of republics, the ambassadors of most serene dukes; the ambassadors of kings; and after these the governor of Rome. After these come the pope's master of ceremonies, and after them the bearer of the cross: Then the two cardinal deacons, with their red caps and their pontifical hats; who are immediately followed by the pope, having on each hand his chamberlain, and his transcriber; with a great number of pages and tall fellows, that wait upon their masters, called, *Estafiers*. Then follow all the cardinals on their mules, two by two; they being likewise followed

by other prelates assisting; as also, patriarchs, arch-bishops, bishops, prothonotaries, and last of all the pope's guard of light horse.

When the pope is come to St John Lateran's, then the arch-priest of this church presents him two keys, the one made of gold and the other of silver; and then all the canons render him their obedience, by kissing his feet; and then, after all is ended, his holiness gives his general benediction: And so the ceremony is ended.

The Natural History of Superstition.

Sic plerumque agitat stultos inscitia veri, et
Palantes error certo de tramite pellit:
Ille sinistrorsum, hic deorsum abit, unus utrique
Error, sed variis illudit partibus omnes.

Atheism leaves men to sense, to philosophy, to laws, to reputation, all which may be guides to moral virtue, though religion were not; but superstition dismounts all these, and erects an absolute monarchy in the minds of men: Therefore atheism did never perturb states; but superstition hath been the confusion of many. The causes of superstition are pleasing and sensual rites and ceremonies, excess of pharisaical and outside holiness, reverence to traditions, and the stratagems of prelates for their own ambition and lucre.—LORD BACON.

IF any man surveys and contemplates the visible world, the great and glorious body of the sun, many thousand times bigger than the earth, its immense distance from us, this globe on which we live, and numerous other planets moving about it, and receiving vital warmth and nourishment from its beams; if he pursues and aggrandizes this idea, by considering the much greater distance and magnitude of the fixed stars, in all probability so many suns, with each their particular system of worlds, and inhabitants, and the frequent discovery of new ones, by the invention of better glasses and telescopes; how must he admire and adore the power of God, who has given being and motion to such vast machines, created them of such figure and magnitude, disposed them in such order, placed them at such distances, gave them such proper and suitable motions as oblige them to perform the regular and ordinary purposes of his providence, without the constant and momentary interposition of his power.

Nor is it less conspicuous in the formation of inferior animals, in this little part of the world in which we live, whose parts are so adapted and disposed by his all-wise providence, as by the necessity of their own natures to perform the functions and operations of their beings: Hence we see that universal harmony in all creatures of the same species; they have the same hopes and desires, the same fears and aversions; some kinds have intrepid courage, others panic fears; nature directs some to force and violence, others to flight and cunning; some prey upon flesh, some live upon fruits and seeds, others upon grass and vegetables; birds of the same kind build their nests with the same contrivance and the same materials; all creatures of the same kind defend themselves with the same address and cunning, and are caught and trappanned by the same wiles and artifices, and generate others like them, as naturally and necessarily as a tree or vegetable is produced from its seed, with some little difference in individuals,

owing probably to the circumstances of soil, food, peculiar accidents, or something perhaps particular in the formation of each system.

His partiality to mankind has not hindered him from forming our bodies in the same manner and of the same materials ; he has given us the same springs of vital motion, the same nerves, tendons, veins, and arteries, the like disposition and organization of our brains, and consequently the like faculties of seeing, feeling, hearing, tasting, and smelling, the same sensations of pleasure and pain, alike desires and aversions, alike hopes and fears ; we have the same way of coming into the world, and the same ways of going out of it. Nor can it be denied that in many respects we are excelled by inferior creatures in the organization of our bodies, as some are stronger, others more active, some bolder, others of longer continuance ; most kinds surpass us in the acuteness of one or more of our senses, and some in all of them.

But we have ample amends made us in the faculties of our souls, which makes it evident we were designed for nobler uses ; for whereas other animals appear to have no thoughts or desires above their quotidian food, ease, diversions, or lusts, men have visibly larger and more extensive views, as not only from the ordinary and regular system of the universe, to carry their minds to their great Creator, but to infer from thence the duty and obedience owing to him, and the justice, compassion, love, and assistance, owing to one another. And since the defect and narrowness of our natural capacities has left us in the dark about a future state, his abundant goodness has amply supplied the shortness of our knowledge with divine revelation, and has discovered and annexed a state of immortal happiness to the natural rewards attending a just and virtuous life.

But as there is no perfection in this frail state, nor any excellency without some defect accompanying it, so these noble faculties of the mind have misled and betrayed us into superstition, as appears in that, notwithstanding we are abundantly cautioned not to mistake the impostures of pretended prophets, the frauds of priests, and the dreams and visions of enthusiasts for heavenly revelations, and our own infirmities and panic fears for divine impulses, yet the fables of the heathens, the Alcoran of Mahomet, the more gross and impious forgeries of the papists, and the frauds and follies of some who call themselves protestants, have so far prevailed over genuine Christianity, that the righteous and faithful are but like the gold to the earth ; which could not have thus happened in all ages, unless something innate in our constitution made us easily to be susceptible of wrong impressions, subject to panic fears, and prone to superstition and error, and therefore it is incumbent upon us, first of all to examine into the frame and constitution of our own bodies, and search into the causes of our passions and infirmities ; for till we know from what source or principle we are so apt to be deceived by others, and by ourselves, we can never be capable of true knowledge, much less of true religion, which is the perfection of it.

I take this wholly to proceed from our ignorance of causes, and yet curiosity to know them, it being impossible for any man so far to divest himself of concern for his own happiness, as not to endeavour to promote it, and consequently to avoid what he thinks may hurt him ; and since there must be causes in nature for every thing that does or will happen, either here or hereafter, it is hard to avoid solicitude till we think we know them, and therefore since the Divine Providence has for the most part hid the causes of things which chiefly concern us from our view, we must either entirely abandon the enquiry, or substitute such in their room as our own imaginations or prejudices suggest to us, or take the words of others, whom we think wiser than ourselves, and, as we believe, have no intent to deceive us.

To these weaknesses of our own, and frauds of others, we owe the heathen god sand goddesses, oracles and prophets, nymphs and satyrs, fauns and tritons, furies and demons, most of the stories of conjurers and witches, spirits and apparitions, fairies and

hobgoblins, the doctrine of prognostics, the numerous ways of divination, viz. oniro-mancy, sideromancy, tephromancy, botanomancy, crommyomancy, cleromancy, acromancy, onomatomancy, arithmomancy, geomancy, alectryomancy, cephalomancy, axinomancy, coscinomancy, hydromancy, onychomancy, dactylomancy, cristallo-mancy, cataptromancy, gastromancy, lecanomancy, alphetomancy, chiromancy, orneomancy and necromancy, horoscopy, astrology and augury, metoposcopy and palmistry, the fear of eclipses, comets, meteors, earthquakes, inundations, and any uncommon appearances, though ever so much depending upon natural and necessary causes; nor are there wanting people otherwise of good understanding, who are affected with the falling of a salt-seller, crossing of a hare, croaking of a raven, howling of dogs, screeching of owls, the motion of worms in a bedstead, mistaken for death-watches, and other as senseless and trifling accidents.

It is this ignorance of causes, &c. subjects us to mistake the phantasms and images of our own brains (which have no existence any where else) for real beings, and subsisting without us, as in dreams where we see persons and things, feel pain and pleasure, form designs, hear and make discourses, and sometimes the objects are represented so lively to our fancies, and the impression so strong, that it would be hard to distinguish them from realities, if we did not find ourselves in bed.

But if a melancholy man, sitting by himself in a doleful mood, with his brains brooding upon visions and revelations, should carelessly nod himself half asleep, and his imagination having received a vigorous representation of an angel delivering a message to him, should wake in a surprise, without having observed his own sleeping, (as often happens) I cannot see how he should distinguish it from a divine vision.

There have been surprising instances of this kind, in extatic fits and trances, which are but sounder sleeps, that cause more lively and intense dreams: Some in these deliriums have fancied their souls to have been transported to heaven or hell, to have had personal communication with God and the Holy Trinity, have given descriptions of the angels and their habitations, and brought back messages, prophecies and instructions to mankind; which phenomena, however strange at first sight, are easily to be accounted for by natural causes, for the ideas and operations of our minds being evidently produced by the agitations and motions of the internal parts of our own bodies, and impressions heretofore made on them, as well as the actions of objects without us (which will be made appear in the sequel of this discourse,) it must necessarily happen when the organs of sense (which are the avenues and doors to let in external objects) are shut and locked up by sleep, distempers or strong prejudices; that the imaginations produced from inward causes must reign without any rival, for the images within us striking strongly upon, and affecting the brain, spirits, or organ, where the imaginative faculty resides, and all objects from without being wholly, or in a great measure shut out and excluded, so as to give no information or assistance, we must unavoidably submit to an evidence which meets with no contradiction, and takes things to be as they appear.

I conceive that *ignis fatuus* of the mind, which the visionaries in all ages have called the inward light, and leads all that have followed it into pools and ditches, to be like what is before described: For by their own description it is only to be attained by renouncing the senses, and all the intellectual faculties, and wholly sequestering their thoughts from worldly and material objects, by which elevation of mind, they arrive to a more close and intimate union with God, have internal communication with him, and by immediate motions and inspirations learn all truths, and whatever is necessary to be done. This is what men of vulgar notions call "sending their wits for a venture," and indeed is but a waking dream, for they alike lock up all their outward senses, which are the only conduits of knowledge, and deliver themselves up to the guidance of wild fancy, and consequently must be actuated wholly by their several

complexions, constitutions, and distempers, which often make them, Ixion-like, embrace their own clouds and fogs for deities.

The same visions happen to us, when our organs are indisposed by sickness, and then, according to the nature of our distempers, we see such appearances, as our former prejudices and education have rendered most dreadful or delightful to us: Sometimes we see angels and beatific visions, sometimes devils with instruments of fear and horror.

The like is common amongst melancholy and hypochondriac men, who often act in the government of themselves and families with prudence enough, and sometimes have excellent qualifications in other respects, and yet a particular delusion has got such hold of their fancies, that it is out of the power of their friends otherwise to cure them, than by seeming to comply with their imaginations. One thought his nose long enough to open gates; another thought himself a glass bottle, and bid people stand out of his way lest they should break him; even the Reverend Dr Pelling believed himself with child, and could not be convinced to the contrary, till a midwife pretended to deliver him of a false conception. Some have conceited themselves to be God the father, the Messiah, the Holy Ghost, the Angel Gabriel; to be monarchs, popes, and emperors; others have fancied themselves to be dogs, cats, and wolves: A gentleman now living^{*} has given an account in print of his conversation with spirits for several years together, and closes his account with a distrust of the reality of their conversation with him, though he had said before they appeared to him to be real. Many instances of this kind are to be found in Burton's *Melancholy*, and more to be seen at *Bedlam*.

When the delusions are thus apparent, they serve others for mirth and diversion, and do no harm; but if they happen to persons, of whose godliness and wisdom we have conceived an opinion, they cannot fail of making strong impressions upon us, especially if their visions concur with our prejudices and natural fears.

Though true religion improves the faculties, exhilarates the spirits, makes the mind calm and serene, renders us useful to society, and most active in the affairs of the world, yet I don't know how it has happened, that in all ages and countries, fanatical, melancholy, enthusiastical, monkish, recluse, sequestered persons have passed upon the world for religious; such who lived in cloisters and caves, or became pilgrims and hermits, who, seeming not to mind the affairs of this world, were believed to know the more of the next.

As nothing but disappointed pride, indisposition of body, disturbance of mind, or dejection of spirit, can work about this strange metamorphosis, so it is impossible, when men have abandoned the natural calm and serenity of their minds, and disturbed their organs with wild imaginations, but they must see visions both sleeping and waking; and when they have thus thoroughly imposed upon themselves, it will not be difficult to deceive others, for there are so many in all countries, whom ignorance, pride, conceit, ill habit of body, melancholy and splenetic tempers, unfortunate circumstances, causeless and secret fears, and a panic disposition of mind, have prepared for such impressions, that they can never want followers enough; not to mention such who embrace their opinion fraudulently, and to serve their own ambition and profit.

Which of our senses does not often deceive us? Our tastes and smell will be quite vitiated; strong pressures of the ears make us hear noises; of the eyes, see fire; strangling makes the whole world appear in flames; the jaundice makes every thing seem yellow; calentures make the sea look like a delightful green meadow; things strait in the water will appear crooked; mirrors will make bodies appear where they are not, and magnify, multiply, or lessen them; bodies by refraction will seem other-

^{*} Beaumont of Spirits, p. 396.—*Orig. Note.*

wise than they are, and by the reflection, and due position of glasses, may be made to appear in different places.

It is evident the divine wisdom hath so formed and united our souls and bodies, that they mutually act upon one another, insomuch that there is no action of the mind that does not cause a correspondent one in the body ; nor no motion of the body, that does not produce a suitable affection in the mind ; the different passions of love, hate, contempt, shame, pity, hope, despair, admiration, fear, courage, anger, lust, &c. not only cause different lineaments and features in the face, but give different motions to the nerves, muscles, and every part of the body ; nor, on the other side, can the body receive any impressions in which the mind has not its share : Both come into the world together, and are afterwards joint partners in all the emergencies of life : Both increase in youth, decline in age, are nourished with food, enlivened with wine, altered with weather, refreshed with sleep, improved by exercise, fatigued with labour, oppressed with gluttony and drunkenness, enervated with sickness, and often all the noble faculties and operations of the mind are quite destroyed by the accidental disturbance of the organization of the body, and sometimes set right again and recovered by physic or surgery.

Besides, every thing in nature is in constant motion, and perpetually emitting effluvia and minute particles of its substance, which operate upon and strike other bodies. How are we affected with smells and imperceptible vapours, which often cause epidemical distempers ? Dogs will pursue their masters' scent through crowds of people, and will trace their steps through a country, and find their way home again at a great distance ; some people will turn pale, and even swoon, at a cat's being in the room ; we are often infected with distempers at a distance, the poisonous particles floating in the air are often carried about in the clothes of physicians, nurses, and visitants. And as distempers are thus caused by noxious effluvia, I see no reason why in some cases they may not be cured by such as are agreeable and salutiferous ; Greatrix is said to have cured many distempers by his touch ; the king's evil is often cured by the stroking a king rightly anointed, together with the help of a vigorous imagination, which is as unaccountable ; some at the point of death have been cured by putting a young and vigorous person in the same bed ; and it is a common observation, if a healthy and diseased person lie together, one grows better and the other worse.

Since, therefore, both mind and body are visibly affected with the actions of other beings, and of one another, and wherever we move we are surrounded with bodies, all which in some degree operate upon us, it cannot happen, in the variety of actions and events in the world, but some must appear very extraordinary, and will not fall within common observation, which has given opportunity to men of fraudulent intention to impose upon the ignorance and credulity of others.

How many nations formerly, and even at this day, believe eclipses and comets to be supernatural, and to denounce the anger of the Gods ? How many mistake the stagnation of their own blood for being hag-ridden ? How many enthusiasts take their own prejudice and whimsey for divine impulses, and the struggles of their reason for temptations of the devil ? How many the legerdemain and tricks of jugglers for conjuring and witchcraft ? What frauds may be acted with glasses, speaking trumpets, ventriloquies, echoes, phosphorus, magic lanthorns, &c. ? Mathematicians for many ages were thought to deal with the devil, and in our own a dancing mare was burnt in the Inquisition of Portugal. Formerly madmen were thought to be demoniacs, and in some countries, at this day, their persons are esteemed sacred, and their raving to be prophecy. The Americans take paper and letters to be spirits which carry men's thoughts from one to another, and indeed it is hardly conceivable by nations, who have no notion of writing, how men should converse at a distance, and know one another's thoughts, but by the mediation of visible or invisible agents. If any one

should have more exquisite senses than other men (which is not difficult to suppose) how many discoveries would he make unaccountable to the rest of mankind? if he could follow men or beasts by the scent like dogs, or see in the dark like cats; if he had the same natural presage of tempests, thunder and lightning, fair and foul weather, as some animals both at sea and land seem to have, how many people might he deceive by seeming wonders and miracles? We naturally admire what we cannot apprehend, and seem to do some sort of credit to our understandings, in believing whatever is out of our reach to be supernatural.

Many, in other respects prudent enough, give too much countenance to these follies, in conceiving they attribute more honour to the Divine Omnipotence, when they suppose he acts *pro re natâ*, and accommodates his providence to each single action and emergency, than in believing that his eternal wisdom hath so contrived and framed the whole system of nature, and in its original constitution implanted such causes, as by their own energy shall produce all the events in the world, (unless for some particular reasons he thinks fit to interpose his immediate providence) than which nothing seems to be more derogatory to his power, or more contrary to the nature of things, which in many instances we all allow.

Who is there that does not perceive that in dreams, our thoughts and desires are the natural and necessary productions of the affections of our bodies? If we lie hot, we are subject to angry and passionate dreams; if cold, to fearful ones: A loaded stomach raises up apparitions of devils, terrors and death; opium gives to many the most agreeable sensations; dreaming upon our backs inclines us to lascivious and wanton thoughts, and a due temperament of body gives sound sleep without any dreams at all; and yet how few are there, that do not believe their waking thoughts are altogether in their power, without being able to give any reason for the difference?

Who is there that does not see that the raving of a man in a fever, the wild discourse of one in Bedlam, the extravagancies of drunken men, and the visions of distracted, are the necessary effects of distemper and a disordered brain? and yet how few believe the same of the other follies and impertinencies of their lives, though but lesser degrees of the same passions? much more if we meet with any uncommon appearances, or phenomena of nature, we immediately solve all our doubts in recurring to the Divine Omnipotence.

Nature, in many circumstances, seems to work by a sort of secret magic, and by ways unaccountable to us, and yet produces as certain and regular events as the most obviously mechanical operations. Passions of the mind, as well as actions of the body, are not only communicated by all the senses, but probably by other ways indiscernible to us: Music not only works us into variety of passions, but is said to cure the bite of a tarantula, and makes the person affected skip and dance in spite of his raging pain. How many can avoid being affected with the groans or sight of one in misery, any unusual tone of the voice, the solemnity of a coronation, the pomp of a funeral, the farce of a procession, the power of eloquence, the charms of poetry, the rich and splendid equipage of great men, or the solemn dump of an enthusiast? Sudden good or ill news give such violent agitations to the spirits, as sometimes kills the patient; many are frightened into convulsive fits, and even into distraction; the sight of our friends in joy, or in grief, produces the same affections in us, before we know the cause of it in them; the passion of love is conveyed by wanton glances, by the touch, the motion, and the ear, and, as far as appears to us, all other passions are communicated by like means; the frights and longings of women with child stamp images and impressions, of the things feared or desired, on the foetuses, which last after they are born, and sometimes as long as they live. There was once a remarkable accident happened at the acting of Andromeda, at Abdera, a Greek city, upon an extreme hot day, that many of the spectators fell into fevers, and had this accident from

the heat and tragedy together, that they did nothing but pronounce iambics, with the names of Perseus and Andromeda. The yawning of one person infects a whole company; the tone, the motions, the gestures, and grimaces of those we converse with steal insensibly upon us, even when we endeavour to avoid them. Not only nations and sects, but professions and particular societies of men, for the most part, contract peculiar airs and features, which are easily distinguishable to a nice observer; and one but of moderate skill in physiognomy will discover a parson, a quaker, or a taylor, dress them how you please.

There is a certain sympathy and antipathy in nature, or, to express myself otherwise, so agreeable or contrary contexture of different bodies, as, by a sort of natural mechanism, do incline to, or avoid another; this appears not only in physical and philosophical experiments, but by many vulgar and common observations; some bodies cannot be made to unite, others will not separate; the loadstone draws iron to it, gold quicksilver; the sensitive plant shrinks from your touch: Some sorts of vegetables, though set at a distance, attract one another, and twine together; others grow farther apart; turkey-cocks fly at red; pheasants will stare upon the eyes of a fox till they fall upon him; a rattlesnake fixing his eyes upon a squirrel will make him run into his mouth.

All sorts of animals have their inclinations and disgusts to others, and we ourselves have secret affections and aversions to persons and things, that we can no otherwise give an account of, than that effluxes of volatile animal spirits flow constantly from us, of such form and configuration as easily permeate and penetrate some bodies, and are resisted by others of different textures and composition, and, when entered, communicate the same passions and dispositions to bodies suitably disposed, as they caused in the body from whence they came, and in bodies otherwise formed different operations, as the same wind or breath blown into different instruments causes various music.

This may help to unriddle many phenomena and appearances of nature, vulgarly ascribed to fascination and witchcraft; for why may not the disagreeable effluvia of a diseased old woman give a child convulsive fits, as well as the measles and the small-pox, and the poisonous and melancholy vapours steaming from an enthusiast, cause distraction and raving as well as the bite of a mad dog?

We perceive in a thousand instances the actions of others, by an undesigned imitation, produce the like in ourselves; no man is surprised to hear of one thrown into convulsive fits, with distorted limbs and countenance, at the sight of another in the same condition, and yet if a poor enthusiast, with his brains intoxicated with reading the Revelations, who has made a lucky discovery that the last day is at hand, when the rest of mankind are to be destroyed, that he and his acquaintance may enjoy dominions, principalities, and powers; I say, if such uncommon agitations of the mind should produce as uncommon agitations of the body, and cause the same in others, whose intellects and organs are wound up to the same pitch (as when two violins are tuned alike, if you strike upon one the other sounds) immediately half the world is in an uproar: Some will have these fanatical throes and convulsions to be the workings and flowings of the Holy Ghost; the parsons will have them to be some of the devil's tricks to dumbfound the church; and even men of good sense are not without apprehensions, that they may be juggling and confederate knavery in order to some dangerous design, whereas they are as natural as agues, apoplexies, epilepsies, or fits of the mother, which were formerly thought to be supernatural, and the persons affected to be possessed with spirits and demons. Sir Richard Buckley has endeavoured to prove these agitations always attended the true prophets, and the Letter of Enthusiasm has fully shewn they always accompanied the false ones.

To stop the natural course of our spirits, collect them all together, and endeavour to keep them fixed upon one single object or opinion, is like damming up the current of a river, and leaving part of its channel dry, that it may overflow the adjacent country.

The beams of the sun, whilst dispersed, give vital warmth and nourishment to men, beasts, and vegetables, but, if contracted to one point, would set the world on fire; so the spirits of man, whilst diffused through the body, give proper and suitable motions and vigour to the whole machine, but if collected altogether, must either burst the veins, or cause excessive pains, convulsions, agitations, fits of quaking and trembling. A violent intention of mind, long fixed upon the same object, never fails giving convulsive distempers, or making the person distracted.

Some of the quakers (if we may believe the Reverend Mr George Keith in his *Magic of Quakerism*) have arrived to a great proficiency in this natural magnetism, or magic, having, by a watchful and accurate observation of these mutual effluxes and emanations which flow from one to another, attained to a discernment of spirits, that is by the eye, the touch, and even by being in the same room, to the knowledge of their friends from their enemies, or those of the same party, interest, and faction, from those of another: He speaks of it as an undoubted matter of fact known amongst them, that as betwixt the former there is an opposition of spirit to spirit that may be felt, so between the latter there is an unity, amity, or friendship of spirit to spirit that is so discernable, that they rarely mistake their foe for their friend, though all his words, carriage, and actions pretend it: They feel some secret effluvia go forth from their hearts mutually from one another, and to one another, which are received by those of the same spirit, like a pleasant oil or cordial that doth sensibly gratify them, but by those of another spirit (if they can find room to enter) like so many pins and needles that wound them, and penetrate the very heart and vital parts; and when the patient hath strength enough to resist their impressions, he perceives only some small impulse or touch which is ungrateful to him.

He farther tells us, this spirit of quakerism is not only communicated by the sight, the touch, by melodious and musical sounds, as well without words as with them, but sometimes only by the simple feeling of a mighty power that exerts itself in their silent meetings, which not only overcomes little children, but persons at age; and he gives an instance of many boys and girls at a quakers' meeting at Waltham, seized with shivering fits like an ague, which went off and returned for several weeks together.

This author, who was formerly one of them, and is now a minister of the church of England, would never, in a book written against the delusions of quakerism, confess these facts, and endeavour to solve them by natural causes, if he had not thought them to be undeniable; and though it is not easy for others to give entire credit to such uncommon relations, yet we may be sure the first propagators of this fanaticism must have hit upon some secret in nature to strike the passions, or so considerable a sect could not on a sudden start up from so inconsiderable a founder as a poor shoemaker, without articles or priests, though excluded from honours and offices, reproached, contemned, their estates confiscated, their persons banished, or thrown into noisome gaols and dungeons; and, what is more, they continue to increase though they are let alone.

It is a severe circumstance which attends those who oppose received opinions, that in argument they must admit every thing supposed by their adversaries to be true, if it be possible, and often what is not so, if the impossibility be not very apparent; when once men have imbibed strong prejudices, which serve their present interest, or strike forcibly upon their hopes and fears, every thing in nature shall be made to contribute to their system; misfortunes to their enemies are God's judgments for their sins, and so are their successes too, because they become thereby confirmed in their errors; good fortune to themselves, is God's reward for their piety, ill success is his correction for their amendment; every thought which confirms their opinion is a divine impulse, which contradicts them, a suggestion of the devil; every accident that attends them,

every good or ill season, every common as well as uncommon appearance in nature, is made an immediate act of God, and either a blessing or judgment; any unusual operation of their own minds or bodies is imputed to the Holy Ghost, of others that are of different sects, to the devil, so that it is impossible to convert a well-settled enthusiast; you will in vain deny any thing to be supernatural which he thinks so, unless you can shew a visible connection between the cause and the effect, and often that will not do neither, because the weak efforts of carnal reason are unable to search into the hidden mysteries of God.

Who would undertake to convince one of the sect just before mentioned, that his transports, and his panic fears, his tremblings and his quakings, are owing to natural causes, and not the immediate spirit of God? It will be in vain to tell him, that the same were common to an infamous sect in old Rome, to the Pythian prophetess, the Sybils, the Allumbrati in Spain, the fanatics in Germany, are now acted over again by a new whimsical sect in England, and indeed have accompanied almost every fanaticism that ever appeared in the world; he has an answer ready, which is proof against all objections, that himself and those of his party are inspired by the Holy Ghost; but all others are actuated by the devil, in order to promote heresy: It requires less pains to believe a miracle, than to discover it to be an imposture, or account for it by the powers of nature, which notwithstanding I think may be shewn to have produced and set at work most of the enthusiasms that ever happened, and particularly our illuminated sects here at home, with all their convulsions, tremblings, and quakings.

It has been already observed, that many of our passions will not only cause agitations of the body, convulsive fits, and trances, but even kill us; great excesses of love, fear, or joy, will make us shake and quiver; great veneration for the person or assembly we speak before, will make many tremble and quake like an aspin leaf; some have been struck silent, and others have fallen to the ground; how then must an enthusiast be surprised, who believes himself honoured with the extraordinary visits of a deity, and the illapses of the Holy Ghost into his soul? What motions, agitations, convulsions, tremblings, and quakings must be caused by the co-operation of the passions of love, devout fear and awe, joy and veneration in so high and transcendent a degree? What agreeable sensations must he feel? How ravishing joys and transporting raptures? Sure whoever goes about to undeceive him, would deserve the same thanks as those who cured the madman in Horace, that before thought himself a prince, and when he found his mistake, cried out in a rage,

*Pol me occidistis, amici,
Non servatis ait, cui sic extorta voluptas,
Et demptus per vim mentis gratissimus error.*

As these and many other surprising appearances are only the co-operations and united force of different, and sometimes contrary passions, so our passions are the mechanical and necessary effects of the complexion, constitution, and distempers of our bodies, which take their rise, and receive constant alteration from the accidents of diet, climate, air, education, physic, exercise, and the perpetual actions of external objects encompassing us on every side.

Physicians have discovered certain mixtures of the elements, and first principles of the bodies of animals, which they have distinguished by the names of sanguine, phlegm, yellow choler, and black, which is also called melancholy, and common experience proves that from the different mixture, a vain and variation of these humours, or some other compounds, are owing all the dispositions and distempers of the mind and body.

Sanguine is a composition of hot and moist, and flourishes most in youth, gives a

vigorous motion to the limbs, a purple, rosy, and florid complexion to the face, white and soft skin, shining and reddish hair on the head, and little on the body: It ferments like new wine just put into the cask, makes us thoughtless, brisk, and airy; bold, insolent, and wanton; extravagant, luxurious, and immoderately given to mirth and pleasure; which Horace well describes in the following verses:

*Imberbis Juvenis tandem, custode remoto,
Gaudet equis, canibusque, et aprici gramine campi.
Cereus in vitium flecti, monitoribus asper,
Utilium tardus provisor, prodigus æris,
Sublimis cupidusque, et amata relinquere pernix.*

It causes in sleep soft and gentle vapours to rise to the brain, which inspire agreeable and pleasant dreams, and chiefly of such subjects as the mind is conversant with in the day, as is well expressed by Claudian.

*Omnia quæ sensu voluntur vota diurno
Pectore sospito reddit amica quies.
Venator defessa toro jam membra reponit,
Mens tamen ad sylvas et sua lustra redit;
Judicibus lites, aurigæ somnia currus
Vanaque nocturnis meta cavetur equis;
Furto gaudet amans, permutat navita merces,
Et vigil elapsus quærit avarus opes,
Blandaque largitur frustra sitientibus ægris
Irriguus gelido pocula fonte sopor:
Me quoque musarum studium sub nocte silenti,
Artibus assuetis sollicitare solet.*

Lib. III. Præ.

Phlegm is a mixture of cold and moist, and abounds in winter, when the juices, for want of due warmth and motion, are crude and indigested, like wine in the press before it has fermented. The complexion is white, the skin soft, the urine pale, the body inclinable to be gross, the muscles and veins sunk and hid, the hair lank and thin, and for want of nourishment quickly grows grey; the native heat being overcome with moisture, the senses become less quick, the powers of the mind, dull, sluggish, and stupid, the speech slow, and the memory loses its retentive faculty; but people of this complexion are steady, good-natured, hard to be provoked, and free from all guile, fraud, and treachery.

In sleep, moist vapours ascending to the brain, make them dream of hail, snow, ice, and rain, of rivers and baths, and sometimes they mistake their bed for an urinal. This constitution causes heaviness, stuffings in the head, running and dimness in the eyes, noises and ringing in the ears, distillations, coughs, catarrhs, intense pains, if the humour settle in particular parts; as also scabs, tetter, scurvies, leprosy, and some sorts of fevers.

Choler is a composition of hot and dry, of a fiery colour and effect, and abounds most in the summer months: It makes the complexion pale, the body lean, slender, and muscular, the skin hot and hairy, the hair curled, the water high-coloured, the pulse swift and strong, and the veins prominent. People of this complexion are cheerful, forward, and active, have a great command of thoughts and words, and rolling and ready eloquence; but are busy, imperious, passionate, variable, uncertain, crafty, designing, and treacherous.

—cui tristia bella,
Juraque, insidiæque, et noxia crimina cordi.

In sleep, burning vapours flying up to the brain, cause tumultuous and angry dreams, fury and slaughter raging on every side, and towns, cities, and woods in flames.

*Exagitant vesana quies, somnique furentes
 Atque aliena premit vani terroris imago.*

LUCAN, L. 5.

This complexion inclines to the jaundice, to twistings of the guts, with intolerable pains and tortures; to tertian and burning fevers, which cause raving and frenzies.

The *atra-bilis*, or melancholy, is a compound of cold and dry, and abounds most in spring and autumn: It is a viscous and sour juice, and consists of the thicker parts and dregs of the blood, which it is the duty of the liver to separate, and as it were to scum and clarify; and if this office be duly performed the spirits are pure and clear, and give an active motion to the brain, which causes profuse joy and mirth; otherwise the spleen and ventricle become obstructed, and then sour and poisonous vapours ascending to the brain, as it were from corrupt and stinking pools, the animal spirits are vitiated, from whence arise swimings in the head, tremblings and palpitations of the heart, deep sighs, inquietude and alienation of the mind, grief, anxiety, dejection, absurd thoughts, anxious and panic fears, and a desire of solitude.

*Miser in silvis mærens errabat opacis
 Per campos solus latos atque avia regna,
 Ipse um cor edens, hominum vestigia vitans.*

Every noise frightens them, they distrust every body, fear friends and enemies alike, are haunted with vain and causeless terrors of conscience, and both sleeping and waking see dreadful images and apparitions of devils and chains before their eyes.

*Perpetua anxietas, nec mensæ tempore cessat,
 Nocte brevam si forte indulsit cura soporem,
 Et toto versata toro jam membra quiescunt,
 Continuo templum et violati numinis aras
 Conspicit in somno, ac mentem sudoribus urget:
 Hi sunt qui trepidant et ad omnia fulgura pallen,
 Cum tonat, examines primo quoque tempore cæli.*

JUVEN. Sat. 13.

In dreams they try to run away from these frightful images, but in the attempt their strength fails them, their knees sink under them, and their limbs will not support the weight of their bodies; which Virgil well describes in the following verses:

*Ac velut in somnis oculos ubi languida pressit
 Nocte quies, nequicquam avidos extendere cursus
 Velle videmur, et in mediis conatibus ægri
 Succidimus, non lingua valet, non corpore notæ
 Sufficiens vires, nec vox nec verba sequuntur.*

VIRG. Lib. 12.

Though this sort of choler is in its own nature cold, yet, being very dry, takes fire like tinder. Aristotle observes,* when melancholy is once heated, it is like boiling

* Problems, Sect. 30.—Orig. Note.

water, and transcends the flame of fire, and then sulphureous exhalations flying up to the brain, fill the mind with lively imaginations, quicken and enlarge the wit and invention, and make the tongue to admiration fluent and eloquent; and, when heated to a great degree, cause raving, frenzy, and madness.

This will account for the sudden changes in persons of this complexion; when the humour is in its natural state they are heavy, grave, anxious, fearful, dejected, and oppressed with grief and despair; talk of nothing but humility, mortification, disconsolation, and desertion; but if heated with exercise, wine, the conversation of agreeable men and women, or any other accidental cause, on a sudden they will be surprisingly joyful, gay, and wanton, full of laughter and pleasant conceits, bright, and sometimes extravagant thoughts and expressions. Melancholy partakes much of the nature of wine, which makes some men pleasant, others quarrelsome, some silent, others noisy, some lascivious, others impotent, some crying, others laughing.

*Quid non ebrietas designat? aperta recludit,
Spes jubet esse ratas in praelia trudit inermem,
Sollicitis animis onus eximit, et docet artes
Fecundi calices quem non fecere disertum?
Contractâ quem non in paupertate solutum?*

HOR. Lib. 1. Ep. 5.

These are particular features, visages, habits and distempers incident to both these conditions of melancholy, which, for brevity sake, I omit; nor do I pretend to have given an exact physical account of the other phœnomena above-mentioned, much less to discover the inward frame and constitution of substances, which can be known to no man till God Almighty in another state has given us new senses and faculties; (all the knowledge we have in this being some few obvious effects and operations bodies have upon one another;) nor is such exactness necessary, my purpose being only to shew in general, that the passions and other qualities of the mind are the necessary productions of these, or some other unknown mixtures and compositions of the body; which, as they are infinitely variable in degree and proportion, and receive perpetual alteration by the bodies emitting and receiving new particles, as well as different modifications of those it had before by the actions of external objects, so our features, complexions, constitutions, distempers, senses, passions, and other affections of the mind, must be vastly different, and probably two men never had exactly the same, or the same man at different times.

A certain organization of the body, and mixture of juices in the blood, concurring with suitable and correspondent actions of other beings without us, produce prudence, temperance, moderation, humanity, indolence and complacency of mind; different constitutions produce violent and unruly appetites. Our virtues as well as health consisting in having moderate desires and aversions, or, which is all one, hopes and fears to which all our passions are reducible; in a certain degree they are necessary to the preservation of our beings, and all the duties of life; in a greater they become vices, and at last raving and madness; courage soon grows into anger, and then rage; frugality makes an easy progression to covetousness, then miserableness, and that want it would avoid; there is a ready transition from benevolence into generosity, profuseness and extravagance; from religion not conducted by reason, into superstition and fanaticism; and of hope into confidence, pride, conceit, and vain-glory. All these in their excesses are several kinds of madness, which is but violent passion that produces strange and unusual behaviour, of the numerous sorts whereof one might unroll a legion, and perhaps no one is without a tincture of one kind or other, which I am persuaded the most sober man will acknowledge true of himself, if he reflects upon the vanity and extravagance of his secret thoughts, when he sits or walks musing alone.

The mind in its natural state is contented with common thoughts and conceptions, but when the spirits are raised above their proper pitch, like fermented liquor, they endanger the vessel, and, when elevated to a very high degree, are fired like gunpowder, which blows up itself and every thing else about it: Some indispositions make the body many times stronger than in full health, others produce a strange and uncommon energy in the brain, which causes surprising discourses, and rhapsodies of lofty words and thoughts, and a strength of imagination which is inconceivable, that can bring and cure distempers, carry people in sleep out of their beds, and conduct them safe over bridges and precipices, where they durst not venture when awake; but it is in nothing more surprising than in the power it has over the mind, to make it mistake itself, and its own infirmities, for the spirit of God; this is what is called enthusiasm, by which word is meant a strong and impetuous motion, or extraordinary and transcendent ardour, fervency or pregnancy of the soul, spirits, or brain, which is vulgarly hought to be supernatural.

Mankind, in their ignorance of causes, have been always prone to believe some special presence of God, or a supernatural power, to be in whatever is unusually great or vehement. This made the ancients ascribe thunder and lightning to Jupiter, wisdom to Pallas, craft to Mercury, the lively thoughts produced by wine to Bacchus, storms and tempests to Æolus, the rhapsodies of poetry to the Muses, courage to Mars, rage and madness to the Eumenides or Furies, the passions of love to Cupid, the productions of the earth to Ceres, and things seemingly accidental to Fortune; to these idols of their own fancies, they built magnificent temples, endowed them with priests, lands, officers, and revenues; and worshipped them with oblations, prayers, and thanks; this disposition gave rise to the worshipping of heroes, legislators, and founders of new sects and opinions; for the people perceiving uncommon wisdom, eloquence, resolution, and success to attend all their words and actions, believed them to be inspired and assisted by some superior power, and so entirely abandoned themselves to their conduct whilst living, and adored them when dead.

It is this makes a melancholy man mistake the impetuous transport, whereby he is fervently and zealously carried in matters of religion, for divine inspiration, and the power of God in him; for feeling a storm of devotion coming upon him, his heart full of godly affection, his head in his own opinion pregnant with clear and sensible representations, his mouth flowing with powerful eloquence, and not being able to observe from what conduct of reason, or other causes in nature, this sudden change proceeds, immediately concludes it to be the power of God, working supernaturally in him; he thinks every sudden help or evasion, every lucky hint to avoid dangers or compass deliverances, to proceed immediately from God; every imagined discovery of an error held by others, to be a supernatural revelation; every fine and curious thought that steals into his mind, a pledge of the divine favour, and a singular illumination; every staring and rampant fancy, every unbridled, bold, and confident obstruction of his own uncouth and supine invention to be a special truth, and the power and presence of God in his soul: He esteems his pride and tumour of mind, his stiff, inflexible, and unyielding temper, his steady and obstinate resolution to admit no demonstrations against his opinions, and to suffer torture or martyrdom, to be the special support and divine assistance of God, and his ardent zeal, and implacable desire of revenge towards all who oppose him, to be the more than ordinary influence and impulse of the Holy Ghost, for the expiration of heresy; whereas the enthusiast is only intoxicated with vapours ascending from the lower regions of his body, as the Pythian prophetess of old, in her prophetic trances, was by the power of certain exhalations breathing from subterranean caverns; for all these appearances are easily resolvable into the power of melancholy, which is but a sort of natural inebriation, the same effects being produced often by wine; and it is observable that such high-flown and bloated expressions,

rhapsodies of slight and lofty words, and rolling and streaming tautologies, which fall from enthusiasts, generally happen to persons before they are stark mad.

The particular disposition of the blood, which produces this temper of the mind, seems to be the predominance of adust melancholy, well impregnated with gall; the first gives presumptuous confidence, and the latter insolence and impatience of contradiction; which if it prevails so much in speculative questions, which regard no man's profit or power, and that both sides agree, are to be determined by the rules of reason (insomuch, that people of this complexion can converse with none but of their own opinions,) what havoc must it make in matters of religion? Upon which subject almost all mankind seem to have agreed by universal consent to talk unintelligibly, and by that means have endeavoured to destroy or take away the only criterion between truth and falsehood, religion and superstition; every side pretends to visions, revelations, miracles, and mysteries, expect to be believed upon their own authority, and pursue all who dare oppose them with vengeance and destruction, as perverse unbelievers, heretics, deists, and atheists; which charitable and polite language is promiscuously given by and to all parties and factions in religion.

Though at first sight it appears very absurd, that all mankind should be concerned in the visions and revelations of two or three men, when few of the same nation or district can know their persons, fewer their sincerity, and whether they are inspired by God, are deceived themselves, or intend to deceive others; it must be more so, to expect nations distant in situation, language, and customs, to leave their affairs and habitations to hunt after prophets, miracles, and revelation-mongers, or give credit to the fabulous or uncertain stories or legends of people they know nothing of, when we can hardly believe any thing said to be done in the same town or neighbourhood, and scarce in the same house, or tell a story of ever-so simple particulars, that we can know again when we hear it; it is yet more ridiculous to oblige all the world to rake into the rubbish of antiquity, to learn all languages, examine all systems, and thereby discover all impostures, forgeries, interpolations, errors, and mistakes, or else submit to the guidance of others, who are neither honester nor wiser than themselves, and besides have an interest to deceive them; yet the true enthusiast sees none of these difficulties, stares at no absurdities; very sure he is that he has received frequent revelations, is thoroughly satisfied of his own inspiration and mission, and expects all mankind, both now and hereafter, to be so too; he has given them sufficient notice, by promulgating his doctrine amongst a few that he can persuade to hear him, and condemns all the rest as obstinate contumacious heretics, and wilful transgressors against demonstration and evident light: Aversion, pride, and fury in the shape of zeal, like a mighty storm, ruffles his mind into beating billows and boisterous fluctuations; at last he is all in a rage, and no church-buckets to quench his fiery religion, religion and the glory of God drives him on: The holy enthusiastic longs to feast and riot upon human sacrifices, turn cities and nations into shambles, and destroy with fire and sword such who dare thwart his frenzy, and all the while, like another Nero, plays upon his harp, and sings *Te Deum* at the conflagration.

Michael Servetus de Circulatione Sanguinis.

HISPANUS. Med. doctor, vir miri ingenii, cujus fætura tantum famæ parenti in foro medico conciliat, quantum in theologico detrahit, nam contra ineffabile mysterium tri-
unius Dei libros septem in conspectum publicum emisit, quorum licet plerique Genève,

alibique flammis damnati fuerint, aliqui tamen extant etiam in Anglia ubi occurrit locus notatu dignissimus de circulatione sanguinis.

Ipse auctor, instigante Calvino, Genevæ ad ignem condemnatus fuit, an. 1553.

De Trinitatis erroribus, lib. 7. Basil. 1531.

Christianismi restitutio. Basilæ, 1553.

In hoc opere, omnes ipsius tractatus theologici continentur, in quorum quinto, qui de sancto spiritu agit, habentur loca illa quæ circulationi sanguinis ut auctori abundè cognitæ commonstrandæ conducere videntur.

Tres vult esse spiritus in corpore humano. ‘Naturalem scil. animalem et vitalem, qui verè non sunt tres sed duo spiritus distincti; vitalis est spiritus, qui per anastomosin ab arteriis communicatur, in quibus dicitur naturalis. Primus ergo est sanguis, cujus sedes est in hepate et corporis venis: Secundus est spiritus vitalis, cujus sedes est in corde et corporis arteriis: Tertius est spiritus animalis, cujus sedes est in cerebro et corporis nervis.

‘Ut autem intelligatur quomodo sanguis sit ipsissima vita, priùs cognoscenda est substantialis generatio ipsius vitalis spiritus qui ex aere inspirato et subtilissimo sanguine componitur et nutritur: Vitalis spiritus in sinistro cordis ventriculo suam originem habet, juvantibus maximè pulmonibus ad ipsius perfectionem, est spiritus tenuis, caloris vi elaboratus, flavo colore, igneâ potentiâ, ut sit quasi ex puriore sanguine lucens vapor, substantiam continens aquæ aëris et ignis. Generatur ex facta in pulmone commixione inspirati aëris cum elaborato subtili sanguine, quem dexter ventriculus sinistro communicat.

‘Fit autem communicatio hæc non per parietem cordis mediam, ut vulgò creditur, sed magno artificio à dextro cordis ventriculo, longo per pulmones ductu, agitur sanguis subtilis: A pulmonibus preparatur, flavus efficitur, et à vena arteriosa in arteriam venosam transfunditur; deinde in ipsa arteria venosa inspirato aëri miscetur, et expiratione à fulgine expurgatur: Atque ita tandem à sinistro cordis ventriculo totum mixtum per diastolen attrahitur, apta supellex ut fiat spiritus vitalis.

‘Quid ita per pulmones fiat communicatio et præparatio, docet conjunctio varia et communicatio venæ arteriosæ cum arteria venosa in pulmonibus.

‘Confirmat hoc magnitudo insignis venæ arteriosæ, quæ nec talis nec tanta facta esset, nec tantam à corde ipso, vim purissimi sanguinis in pulmones emitteret, ob solum eorum nutrimentum, nec cor pulmonibus hâc ratione serviret, cum præsertim antea in embryone solerent pulmones ipsi aliundè nutriri, ob membranulas seu—cordis usque ad horum nativitatem, ut docet Galenus.’

Paulo infra, ‘Ille itaque spiritus vitalis à sinistro cordis ventriculo in arterias totius corporis deinde transfunditur, ita ut quæ tenuior est superiora petit, ubi magis elaboratur, præcipuè in plexu retiformi sub basi cerebri sito, ubi ex vitali fieri incipit animalis, ad propriam rationalis animæ rationem accedens.’

The following Translation we find in Warton's Reflections on Ancient and Modern Learning.

There are three spirits in man's body, natural, vital, and animal; which (says he) are really not three, but two distinct spirits. The vital is that which is communicated by Anastomoses from the arteries to the veins, in which it is called natural. The blood therefore is first, whose seat is in the liver and veins; the vital spirit is second,

whose seat is in the heart and arteries; the animal spirit is third, which is like a ray of light, and has its seat in the brain and nerves.

We must first understand the substantial generation of the vital spirit, which is compounded of, and nourished by inspired air, and the subtilest part of the blood: The vital spirit has its original in the left ventricle of the heart, by the assistance of the lungs, which chiefly contribute to its generation. It is a subtle spirit (so I render *tenuis* here) wrought by the force of heat, of a florid colour, having the power of fire; so that it is a sort of shining vapour made of the purer part of the blood, containing within itself the substance of water, air, and fire. It is made in the lungs by the mixture of inspired air with that elaborated subtle blood which the right ventricle of the heart communicates to the left. Now this communication is not made through the septum of the heart, as is commonly believed, but the subtle blood is very artificially agitated by a long passage through the lungs from the right ventricle of the heart, and is prepared, made florid by the lungs, and transfused out of the arterious vein into the venous artery, and at last in the venous artery itself it is mixed with the inspired air, and by expiration purged from its dregs. And thus at length the whole mixture is attracted by the diastole of the heart into the left ventricle, being now a fit substance out of which to form the vital spirit.

Now that this communication and preparation is made by the lungs, is evident from the various conjunction and communication of the arterious vein with the venous artery in the lungs; the remarkable largeness of the arterious vein does likewise confirm it; since it would never have been made of that form and bulk, nor would it have emitted so great a quantity of very pure blood out of the heart into the lungs, if it had been only for their nourishment; nor would the heart have been this way serviceable to the lungs, since the fœtus in the womb are otherwise nourished, by reason of the closeness of the membranes of the heart, which are never opened till the birth of the child, as Galen teaches. So that the whole mixture of fire and blood is made in the lungs where there is a transfusion out of the arterious vein into the venous artery, which Galen took no notice of.

That this vital spirit is transmitted from the left ventricle of the heart into the arteries of the whole body, so that the more subtle parts get upwards where they are yet more refined, especially in the plexus retiformis, which lies in the base of the brain, where, from vital, it begins to become animal, and approaches to the proper nature of the rational soul.

Of the Soul of the World; and of particular Souls: In a Letter to Mr Lock, occasioned by Mr Keil's Reflections upon an Essay lately published concerning Reason. By the Author of that Essay.

Veritas obvia, sed requirentibus. *Minut. Fæl. in Octav.*

Verborum umbris territamur, quum in re nihil sit absurdi. *Eras. in Hyperaspist. l. 2.*

SIR,

It may seem an improper way of making satisfaction for a former trouble, to give a new one; yet, since you have pardoned the confidence that made a present to you of my Essay concerning Reason, and that some very sharp reflections have been published on a part of that essay, I hold myself obliged to send you my defence of it.

My intention in this address is not to engage you in the protection, or to the countenance of any opinion, further than as reason allows it; nor is it to insinuate that

you are of mine, to gain it the more authority: For though I could not procure a greater advantage to any opinion I own, than to have others persuaded that you are of it, yet I must do you the justice to profess that I am wholly ignorant what yours is as to the point in debate.

I only appeal to you now, as I did at first, as to an arbiter or judge, for which your excellent penetrating understanding highly qualifies you, without inviting you as a party to come to my assistance, which at this time I hope I shall not need.

Mr Keil, in the introduction to his Examination of Dr Burnet's Theory of the Earth, hath done me the honour (though I am not sure he designed it for me) to mention me with several very celebrated persons; but he doth it in that manner, and with that abatement, that I have no great cause of being exalted on that regard.

After he had instanced in Spinosæ, Dr Moore, and Mr Hobbs, as authors of great discoveries, which might well demand esteem and veneration, if they were real, he picks out some of their opinions, which he believed the most obnoxious, that by them his readers may see how well they deserve such a character. He then adds, "But a new philosopher" (naming me, who am not ambitious of that title) "has much out-done any I have yet mentioned, in a book lately printed concerning reason; there he assures us, that there is but one universal soul in the world, which is omnipresent, and acts upon all particular organized bodies; and makes them produce actions more or less perfect, in proportion to the good disposition of their organs. So that in beasts that soul is the principle of the sensitive and vital functions: In men it does not only perform these, but also all other rational actions: Just as if you would suppose a hand of a vast extension, and a prodigious number of fingers, playing upon all the organ-pipes in the world, and making every one sound a particular note, according to the disposition and frame of the pipe: So this universal soul, acting upon all bodies, makes every one produce various actions, according to the different disposition and frame of their organs. This opinion he as confidently asserts to be true, as other men believe that it is false; though it is impossible he should any other way be sure of it but by revelation; and I believe he will find but few that will take it upon his word."

Mr Keil, I hope, will give me leave to tell him without offence, that the representation of my opinion, had he pleased to make it in my own terms, would have been less invidious, and withal more just than it appears in his. However, since he hath endeavoured by a comparison to illustrate, or else to expose [for I cannot well resolve which it is] the sentiment I own, and that this comparison is capable of being applied unto it to good purpose, I will myself make use of it my own way.

But first I must give a plan of my true notion; which in short is this: That the Mosaical spirit (called, Gen. i. 2. the spirit of God) being a spirit of life, and present every where, in all the parts of the universe, is the original of all the energy, motion, and action therein, especially of that which is animal. And that particular souls [for such I acknowledge there be] are portions of that spirit acting in the several particular bodies in which they are, according to the capacities, dispositions, and qualities of those bodies. A sentiment conformable to two received maxims: *Quicquid recipitur, recipitur ad modum recipientis. Actus activorum sunt in patiente disposito.*

To make it imaginable, let us suppose a vast organ, consisting of innumerable pipes of different sizes and fabric, and this organ to be filled with wind blown into it, and the wind to be received, and some portion appropriated by each particular pipe: Imagine, also, innumerable fingers playing upon those several pipes; for then each particular pipe being played upon will, by means of the wind, be made to sound a particular note, differing from the notes of all the other pipes, according as its qualities, dispositions, and fabric differ.

The world is as such an organ [an orderly aggregate] and the several sorts of bodies that compose it are as the several pipes of that organ; the Mosaical spirit, present every

where throughout the whole world, is as the wind (which is) blown into the organ. This spirit is received and apportioned by the several particular bodies, as the wind in an organ by the several particular pipes; and as *these*, inspired with wind, being played upon, do sound different notes or tunes, so *those*, animated with their respective portions of the Mosaical spirit, being impressed and acted upon by objects, do perform their several vital functions, according to their several dispositions and fabric.

Thus far the comparison plainly holds; but it may be carried a greater length, and made serve to illustrate what I say in my Essay concerning the nature of animals, of spirits, and of souls. For it may be added, that as the power of making an organ sound at all, or the power of making a particular pipe to sound a particular note, arises not solely from the frame of the organ, or from that of the pipe; for the organ sounds not at all, if it be not inspired with wind; and though inspired with wind, and consequently though it gives a sound, yet it will not sound to such and such a particular tune, if it be not played upon with the fingers. In like manner, the power of making a body live, or of any particular instrument of it exercise any particular action of cogitation, as of seeing, or of hearing, arises not solely from the frame of the body, or from that of the particular instrument, the eye, or the ear: For the body lives not, if it be not animated with some portion of the Mosaical spirit; and if it be animated, and consequently hath life, as the inspired organ hath sound, yet it doth not exercise that life in this or that particular manner of cogitation, by its several instruments, as in seeing by the eye, or hearing by the ear, if it be not acted upon, and impressed by objects, any more than an organ which is only inspired, though it sound, will sound to this or that particular tune, if it be not played upon with the fingers. Thus life originally comes from the soul: I say comes *from* the soul; for that, speaking properly, it is not *in* the soul, considered as a soul, any more than motion is, which properly is not *in* the soul, but *from* it. And as life, so cogitation, which is a species of life, proceeds from the soul, but the specification of it from the body. And for the actual exercise of cogitation in its several species, whether of sensation or of intellection, it comes originally from the impressions and operations of objects. For images and ideas, that is to say, the sentiments of the sense, and those of the mind or understanding (they) are nothing but different modifications of cogitation; the former modifications of sensation, the latter of intellection; after the same manner as different notes or tunes are but different modifications, or diverse modulations of sound.

In this way of conceiving, the production of images and ideas is more perspicuous and intelligible, as well as more con-natural, than in that of Malbranch; which, methinks, in things of nature, instead of having recourse to natural causes, doth a little too unphilosophically, too soon repair unto the first cause, which is the Author of Nature. But (as I said) in the way before set out, the conception of it is very easy: for images and ideas being but the modifications of cogitation, they are made by impressions, and made different by different impressions of objects upon the faculties; as notes and tunes are made by the playing, and different notes and tunes by the different playing of the fingers upon the several pipes of an organ.

This comparison of the world animated with the spirit of God, to an organ filled with wind blown into it, cannot but be acknowledged to have much of resemblance and agreeableness; and the more, if we consider that this spirit of God is called *Ruach* in Hebrew, a word signifying wind; and likewise that pneumatical or wind instruments of music are said (though but metaphorically) to be animated, as I think they are in Psalm cl. 6. For here it is said, "Let every thing that hath Neshamah;" the same word that is used for the soul of man, Gen. ii. 7. when God is said to breathe into him the breath of life: So here, "Let every thing that hath Neshamah," every thing that is animated with wind, let every wind instrument (for the coherence plainly carries it unto musical instruments) praise the Lord. And as Neshamah comes

from *nasham anhelare*, to pant or breathe, so likewise *nephesh*, another word in Hebrew for a soul, derives from a root of the like signification, and often stands for breath as well as for a soul.

Nor was this a particular sentiment only of the Jews, but both the Greeks and Romans were in the same: For in Greek the name for spirit is πνεῦμα, and πνεῦμα comes from πνέω to blow; and ψυχή, the word for soul, derives from ψύχω to breathe. With the Romans, the word for soul is sometimes *anima*, sometimes *animus*; words that come from ἀνεμος, which signifies wind, as in like manner *spiritus* does from *spiro*.

When I affirm that [*anima*] and [*animus*] are often used promiscuously in Latin authors, I have good authority to support it, since *Cotta in Cicero, l. 3. de Nat. Deor.* saying, *Quí magis quam præter animam, unde animantium quoque constet animus, ex quo anima dicitur*, intimates the same: For there he calls the vital principle of inferior animals *animus*, and in effect says, both that it consists of *anima* or breath (which is inspired air or wind) and that for this reason the breath is called *anima*, because it is to inferior animals what the *animus* is to man; [*animus ex quo anima dicitur.*] *Anima* is *animus* with a little distinction; *anima* is the *animus* or soul of brutes, and *animus* is the *anima* or soul of men; as in the holy scripture, where St Paul speaks of body, soul, and spirit, what he means by soul may be expressed by *anima*, what he intends by spirit by the word *animus*; the former word importing the sensitive principle, which is common to beasts, the latter the rational or intellectual, which is proper to men.

To clear this passage further, which I have quoted out of Cicero, and the sense I have given of it, we ought to consider that the Stoics held an opinion that all souls were fire; and Balbus (who was one of them) taking it for granted, is told by Cotta that he was too forward in assuming so much; for, says he, 'tis the probable opinion that the vital principle or soul is not breath only, as most think, or fire only, as Stoics think, but a complex or result of both: *probabilius videtur, tale quiddam esse animum, ut sit ex igne atque anima temperatum.*

It is true Julius Scaliger, in his 107th exercitation against Cardan, is extreme severe upon that wonderful knowing and learned man for saying but by implication that other souls besides the human were called *animi*. For Cardan having said, *animi vires præcipue humani*, &c. Scaliger replies upon him, *Quasi vero alius sit animus ab humano*. Insinuating thereby, that to hold that every (or indeed that any) soul might be called *animus* is very absurd, as in truth it would be, if what he says was well grounded, to wit, that all wise men did ever understand by *animus* a faculty of the human soul, which he says; though at the same time he confesses Cicero (who, it seems, for this reason he thought not very wise) to be in a different opinion: *Nam tametsi Cicero* (says he) *animal ab animo dictum scribit, tamen hominis proprium animum, id est, animam vim, sapientes omnes intellexere.*

And to lessen Cicero's authority in this particular, he impeaches him of inconstancy, telling us that at another time, speaking of Apronius, he uses such expressions as do evidently so distinguish between *anima* and *animus*, that no room is left to imagine but that he took the latter for only a power or faculty of the former. *At* (says Scaliger) *non servabit [Cicero] constantiæ opinionem invitis doctis viris, ejus enim verba de Apronio sunt, qui non modo animum integrum, sed ne animam quidem puram conservare potuisset, ubi aperte animæ facultatem innuit animi appellatione.*

But our hypercritic has not exercised his talent to advantage in this place: For though it must be acknowledged that *animus* is very often used for a faculty of the soul, and not always taken for the soul itself, yet when Cicero says of Apronius, that he could not *conservare animam puram*, he does not mean, by *anima*, his soul (of which the *animus*, that he distinguishes from it, should be a faculty) but he understands his breath, which was impure, foul, and stinking. This is evident from the orator himself,

who, in Verrem, lib. 3. describing this Apronius, says of him, that his breath was so fetid, that, as some affirmed, the very beasts could not endure its stink : *Ut odor Apronii teterrimus oris et corporis, quem, ut aiunt, ne bestiae quidem ferre possent.*

In truth, nothing more surprises me on this occasion, than to find Scaliger (a very extraordinary man, and a great critic) so positive in this opinion, that none of the ancients who had any wit, ever denominated the souls of inferior animals *animi*, or even that of man *animus*. For Seneca, Epist. 113. tells it to Lucilius, as the opinion of the ancients, that the *animus* is an animal, for that it makes us animals; and that animals receive their name from *animus*: *Quæ sint* (says he) *quæ antiquos moverint dicam; animal constat animum esse, cum ipse efficiat ut simus animalia, et cum ab illo animalia nomen hoc traxerint.*

However, (to note it by the bye) it must not be said neither, that the ancients never gave the name [*anima*] to the soul, or that *anima* of old did only signify the breath: For though *anima* was used to signify the breath, it was so but in a secondary sense, the breath being therefore called *anima*, because the *anima* or soul was generally understood to be contained therein, or to consist thereof. This is manifest not only from what is said already, but (to omit others) from a passage in Seneca, L. de Provid. where, as he says, *Sive haustus ignis cursum animæ remeantis* interseidit, &c. where [*anima remeans*] signifies respiration or breathing: So he likewise says, *Id quod vocatur Mori, quo anima discedit a corpore*, &c. For here [*anima*] is taken for the soul. But to put it out of question, that even the human soul is called *anima* by ancient authors, I need to cite but Seneca's 117th epistle; where, writing of the immortality of souls, and saying that the consent of mankind in that point is a cogent argument for the truth thereof, he uses the word [*anima*] not [*animus*] for a soul; *cum de Animarum æternitate disserimus*, says he, *non leve momentum apud nos habet consensus hominum, aut timentium inferos, aut colentium.*

I have a fruitful subject before me, and could add a great deal more, if I believed it proper; but it may suffice at this time to have shewed that both *anima* and *animus* are names for a soul, and that both derive from a word that signifies wind or breath: For this evinces that the comparison I have made between the animated world and an inspired organ, is not any remote one, or (as we usually speak) far-fetched, but very fitting and agreeable.

However, though this comparison between the world and an organ is well enough imagined, and carries much resemblance, yet since an organ is but a machine, and only artificial, and that animals are works of nature, and more than mere machines, I chose in my Essay to illustrate and set out my notion by comparisons taken from nature, as from sound and echo, from light and colours; but more particularly from our own souls, and their different operations in the several organs of human bodies, by means of their several faculties.

In that treatise I have shewed at large, that there is a universal vital principle diffused throughout the world; and withal have shewed how that principle comes to be singularized and individuated, so as that there be particular souls. I have also endeavoured to satisfy objections, and have instanced in the Theodosian and Scottish monsters, as sensible demonstrations of the truth of what I affirm in reference to this subject.

I have shewed likewise, that the Jewish doctors, many philosophers, some fathers, and several schoolmen, were in the same sentiment as to the main: For though, perhaps, they all agreed not, either with each other, or with me, as to particular explications, yet all held a vital principle that doth permeate the whole world; and that unto the universe is what the soul of man is to the body. And if common language does signify a common sentiment, this must be owned to be one. For why else is man called a microcosm or little world, but because he is like the great, and has soul and body? And though this expression is appropriated unto man, yet if we believe Galen,

the ancients held that every animal is a microcosm, a world in little; and then surely, in their opinion, the world itself is, after a sort, an animal in great.

Upon the whole it is evident, that for any to imagine I exclude particular souls, because I do affirm a general (one) is to do me injury; and, in effect, the same as to infer that I deny there are colours, because I affirm there is light; or that I deny there is echo, because I affirm there is sound. In sum, he might as fairly conclude that all those deny the powers of seeing, of hearing, of feeling, &c. to be in any animal, who do affirm that the animal has a soul which is the principle of those powers; for those powers in divided bodies would be so many souls, that in the same body are only so many faculties of one soul. This way of reasoning goes on the same ground that Seneca's does, when, in another case, he says, *Epist. 113. Animal sum et homo, non tamen duos esse dices: Quare? quia separati esse debent. Ita dico, alter ab altero debet esse diductus, ut duo sint.*

Yet, after all, it has pleased Mr Keil to make a sharp reflection upon me for this opinion (but with how much equity or candour our readers must determine) and he doth it in these terms:

“ This opinion he as confidently asserts to be true, as other men believe it is false; though it is impossible he should any other way be sure of it but by revelation; and I believe he will find but few that will take it upon his word.”

First, he says, ‘ I confidently assert, &c.’ As for confidence, I acknowledge that a confidence like his in this reflection that does only assert but not prove, cannot merit any great commendation: But otherwise I know no fault in being confident of any opinion, or in a confident asserting of it (which, however, I am no way conscious of) if there is reason for that confidence, and that the opinion be well-grounded.

But this he supposes mine is not; for he says, I confidently assert, &c. though it is impossible I should any other way be sure of it but by revelation. If he mean it is impossible I should be absolutely sure of it but by revelation, and that for this reason it is a presumption in me to assert the opinion, since I am not assured of it that way, he must excuse me if I differ from him. For, in the first place, I will take the liberty to tell him what I believe most others (who consider) would upon occasion, that there are many degrees of a just confidence, that yet do all fall much beneath infallibility, or absolute certainty. Besides, methinks it should content him, as being a sufficient ground of asserting any opinion, even with confidence, that there is reason for the opinion, though he that asserts it cannot be absolutely sure of it without a revelation; especially since Mr Keil himself, I dare say, will not affirm he had a revelation for all he confidently asserts in his book, of which yet he cannot be absolutely sure without one; but what there is of revelation in the question between him and me, he may be told hereafter, and might have learned somewhat of it from the Essay, where also he might have seen that there was some reason for the opinion.

And whereas he says, that I as confidently assert my opinion to be true, as other men believe that it is false: If I should yield him so much, what would follow but this, That if this be all, it is only confidence on either side; I confidently assert it to be true, other men as confidently believe that it is false? And when equal confidence and nothing else is in both the scales, what shall turn them? But certainly though other men (if but *other men*) believe an opinion to be false, that any one affirms to be true, it will not necessarily follow that it is false indeed; for if it should, Mr Keil himself, who writes in opposition to other men (and those very worthy men) must believe himself in the wrong box, till he can convince them, ay, and all the rest of mankind that think otherwise than he does; for till then other men will believe that what he says is false. Indeed, if my opinion went contrary to common sense, and that all other men, or but all considerate, wise, and thinking men were in another belief, I should

be very apt to suspect I was imposed upon by false appearances ; but there is nothing of this in the matter, as will be manifest presently.

Mr Keil closes up his censure (for all he says against me is censure only, not argument) with telling his readers his belief, which is, that I will find but few that will take the opinion upon my word. In truth it is not my desire, as it is not reason any should ; nor, as it falls out, is there any need they should : For if a revelation in the holy scriptures, if the authority of some of the most thinking and sagacious philosophers, and if reasons taken from the phænomena of nature, can put any sentiment beyond the misfortune of being precarious, mine is safe enough from that imputation.

As for revelation, what interest it hath in this opinion, I have shewed in my Essay from Genesis i. 2. compared with Psalm cxlvii. 15, 16, &c. which I will not repeat, only I will add that I think it abundantly confirmed by an evidence I find in the book intituled, The Wisdom of Solomon, where it is said, ch. i. 7. "The spirit of the Lord filleth all the world ; and the same that maintaineth all things hath knowledge of the voice."

This spirit, as it hath in the holy scriptures the denomination of the Spirit of God, because it comes from him, and is his hand in all his influences upon the world, so it hath that of the spirit (or soul) of the creatures, whether these be plants, sensitives, or men, as being that vital principle that acts and actuates them all. Thus in Psalm civ. 29. that which is called the breath of the creatures, or the immediate principle that makes them live, and is their soul, upon whose departure they are said to die, and to return to their dust, is, in the 30th verse of the same Psalm, called the spirit of the Lord, which being sent into them, makes them live : "Thou sendest forth thy spirit, and they live ; and thou renewest the face of the earth."

This is particularly affirmed as to man by Elihu, Job xxxiii. 4. "The spirit of God hath made me, and the breath of the Almighty hath given me life : " By Job himself, chap. xxvii. 2. "All the while my breath is in me, and the spirit of God is in my nostrils : " And by Elihu again more comprehensively, Job xxxiv. 14, 15. "If he set his heart upon man (to take notice of him, and remark his iniquities) and (consequently) gather unto himself his spirit and his breath, all flesh shall perish together," and man shall turn again unto dust. Plainly intimating, that the spirit of God (as if it were a common soul) is the original principle of life and vital operation in man, as well as in all things else that have life. See Isa. xlii. 5.

The prophetic scheme in Ezek. xxxvii. concerning the dry bones, is very pertinent, and full to the same purpose : For when the dry bones are to be made to live, God is introduced saying to them, ver. 5. "Behold, I will cause breath to enter into you, and you shall live." And he effects it by the same steps, and in the same manner, as he created man at first. For first he organized the bodies, ver. 7, 8. "The bones came together, bone to his bone, the sinews and the flesh came upon them, and the skin covered them above." But though the bodies were organized, yet being not inspired (for there was no breath in them) they were not made to live as yet ; and therefore to make them living bodies, and put soul into them, the prophet had a commission to the mundane spirit to come and animate them, ver. 9, 10. "Then said he unto me, prophesy unto the wind, prophesy, Son of Man, and say to the wind, Thus saith the Lord God, Come from the four winds, O breath, and breathe upon these slain, that they may live : So I prophesied as he commanded me, and the breath came into them, and they lived." Where it may be observed, that the spirit that quickneth and giveth life to those bodies is compared to inspired wind or breath ; that this spirit of life or quickening breath is diffused throughout the universe in all the quarters thereof ; and that it is entirely at the command and beck of God : For it is breath is called upon to come and quicken those bodies ; and it is called upon to come and quicken them from the

four winds; and it is no sooner called upon, but it comes forthwith, and quickens them.

It may also be observed, that the breath or common spirit of life, that blew upon those bodies, as it came upon them all, so it was apportioned by each; for the breath must be in them: And where the breath is in all, each hath his portion of it in particular, and then may say as Job, xxvii. 3. "All the while my breath is in me, and the spirit of God is in my nostrils," &c. So long his breath is in him, as the spirit of God is in his nostrils.

Thus every man hath his own soul, but this soul is only a portion of the spirit of God that (as a soul) does permeate the universe; so that it is (as in Pythagoras's expression, which I find in Lucretius) Ἀπόσπασμα αἰθέρος, a spark of ether, or, as others chuse to express it, *Particula auræ divinæ*; which, according to the grounds that I have laid in my Essay, I would render a portion of mind in matter. So much for my opinion from the authority of revelation.

As for that of philosophy, I produced in my Essay, as vouchers of my hypothesis, not only the great philosopher last named, who was founder of the Italick sect, but also Zeno, Seneca, Plutarch, Marcus Antoninus, and Apuleius. To all which, from as many as would fill a volume, I will add a few more:

Thales, the father of the Ionick sect, held (as Laertius tells us) that water was the principle of all things, and that the world was animated, [ἐμψυχον] in which doctrines (as is very probable) he was instructed by the Mosaic tradition [of the waters, and the spirit that moved upon them] for unto this his dogmata are very conformable.

There are in Plato so many testimonies of a mundane soul, and his opinion is so generally known, that it were to overdo to instance particulars.

I have mentioned Zeno Citticus in my Essay; but seeing he was founder of the stoick sect, and that I find in Laertius, who wrote his life, a fuller state of his opinion, and in more particulars consonant to mine than what I have mentioned already, I will produce him again: He then, as Laertius tells us, asserted a mind that permeated every portion of the world, after the same manner that the soul in us doth permeate the body: εἰς ἅπαν αὐτὰ [κόσμον] μέρος διήκοτος, καθάπερ ἐφ' ὑμῶν τῆς ψυχῆς. But through some more, through others less, ἀλλ' ἤδη δι' ὧν μὲν μαλλον, δι' ὧν δὲ ἧττον. For instance, some, he says, it pervaded only as a habit [ὡς ἔξις] as through the bones and nerves; but through others as a mind [ὡς νῦς], as through the understanding or rational part [ἥς διὰ τῆς ἡγεμονικῆς.]

This sentiment of a divine virtue that pervaded the whole universe, was in ancient time so generally received, that even the tyrant Phalaris, in an epistle consolatory, written by him to the children of Stesichorus (if indeed he was the author of those epistles passing in his name) mentions it as such an one; ἡ γὰρ ἀθάνατος τῆ Θεῆ μοῖρα, says he, πρὸς τὸ πᾶν ἔστα, αὐτῇ, &c. which his honoured and very learned translator renders thus: *Immortalis quippe Dei vis, quæ per universum diffunditur, mihi nihil nisi hæc ipsa harmonia videtur.* He is also understood, by that excellent person in his annotations, to mean the mundane soul of the Pythagoreans, when in his 104th epistle, which is to the inhabitants of Catana, he says, εἰγεθείας τυχῆς, ὥσπερ τὰ λοιπὰ τῆς φύσεως χοιρεῖα, &c. *Si enim Divinæ sortis, quemadmodum cætera naturæ elementa, &c.*

And even Aristotle, though a great opposer of the Platonic soul (yet) being prevailed upon by irresistible experience (he) in a paragraph quoted out of him by Julius Scaliger, in the 26th exercitation against Cardan, comes somewhat near to my opinion: For there he affirms, γίνεται δὲ ἐν τῇ γῇ καὶ ὑγρῷ καὶ τὰ ζῶα κατὰ, φυτὰ, διὰ τὸ ἐν γῇ μὲν ὑπαρκεῖν ὑγρὸν, ἐν δὲ ὕδατι πνεῦμα, ἐν δὲ τῷ παντί, θερμότητα ψυχικὴν, ὡς τρόπον τινα πάντα ψυχῆς εἶναι πληρῆ. That both animals and plants are produced in the earth and in the waters, for that there is, as in the earth moisture, so in the water spirit, and throughout the universe an animating [vivific] heat; insomuch that after a sort [it is true] that all things are full of soul.

To those philosophers I will add the well-known testimony of a philosophical poet, Virgil, *Æn.* 6.

*Principio cælum, ac terras, camposque liquentes,
Lucentemque globum lunæ, Titaniaque astra,
Spiritus intus alit, totamque infusa per Artus
Mens agitat molem, et magno se corpore miscet.*

Rendered by Eugenius Philalethes thus :

The heavens, the earth, and all the liquid main,
The moon's bright globe, and stars Titanian,
A spirit within maintains, and their whole mass
A mind, which through each part infused doth pass,
Fashions and works, and wholly doth transpierce
All this great body of the universe.

I begin to be fatigued with the unpleasant drudgery of quoting and transcribing ; and therefore wholly omitting modern testimonies, I will add but one more of the ancient, and that shall be from Cicero, who l. 2. de Natur. Deor. introduces Balbus demonstrating that all things in the world are subject to a sentient perceptive nature, and are administered and governed by it. This he evidences by shewing, that particular works of nature have infinitely more of the beauties of art and contrivance than the most noble productions of human skill, and yet that no particular operation of nature (for example the production of a vine, of a tree, or of that of the body of any animal) can shew, as to conformation, order, and situation of parts, or as to adjustment and fitness of them for ends and uses, that wonderful sagacity, that subtilty of invention, or that wise contrivance that shines with great brightness in the general frame of the world ; whence he confidently, but justly, infers, that the whole world is under the conduct and wise administration of a sentient and perceptive nature, or else that nothing at all is so. *Aut igitur*, says he, *nihil est quod a sentiente natura regatur, aut mundum regi consilendum est.*

This last testimony, as it is an evidence, so it is also an internal argument ; and being taken from the phenomena of nature, reminds me of what I undertook to do in the third place, which was to shew that my opinion had reasons for it in nature, and grounded upon things themselves : And these I will now produce.

The first is taken from the uniformity even in deformity, the mutual relation and the harmony of parts that is in the world in its general fabrick, if it may be allowed to make a judgment of the whole frame by that of a particular system, which we ourselves belong unto : But I will not now insist any longer on this argument, because it is set out at large in my Essay in many instances, and the learned reader will find more in Nemesius de Nat. Humana.

Again, this hypothesis accounts for another phenomenon that cannot be so well accounted for any other way, that whenever any matter becomes disposed for animal life, this is presently afforded to it ; which how it should come to pass, is easily conceived, on supposal of a mundane soul, or a principle of vital energy diffused every where ; but otherwise one must imagine particular souls, and those too to be spirits (that are) always every where in waiting for an office, which is hard to be admitted ; I say (and those too to be spirits) for that it is certain that mere corporeal souls (as some call them) suffice not for animal operations, even though we should conceive them (as those do) to consist of flame for vital actions, and of light for the sensitive

ones: For if matter be not radically vital, and so there be no need at all of spirit or mind, and then there is no such thing, it will be absolutely inconceivable how flame and light (which are only matter under greater comminution of its parts of a particular texture, and in rapid motion) can of themselves be vital and perceptive, or make other things become so. But to return.

Mr Lewenhoeec's experiment of peppered water, every drop whereof affords (as he says) so many thousands of animalcules, is a sensible demonstration of an omnipresent vital principle that acts as occasion is; and a sensible demonstration too of spontaneous equivocal generations: For so I call the productions of animals that do not come from seeds in the common acceptation of this word. I acknowledge it almost a scandal but to name equivocal productions at this time, they are now so generally disbelieved and exploded; but for my part, I am not ashamed to confess, that as yet I have not observed so much said by the excellent Redi, or by any other author, against the reality of them, as to oblige me to depart from a sentiment that hath been the common belief of most enquirers into nature, in all ages before this last. And the hypothesis of a mundane soul will make productions of that kind conceivable; without which indeed it will be hard to apprehend how they can be.

Dr Cox, in a process of extracting volatile salt and spirit out of vegetables, which is described in the Philosophical Transactions, intimates this observation; That many of the herbs, putrefied and fermented after his way, did swarm with maggots, especially at the bottom, and in the middle, where (he tells us) flies and other insects could have no access to deposite their eggs, and where the heat is so violent that they could not possibly subsist. Some years after that learned person, I find another, the experienced Juncken, in processes of much a like nature, making the like observation, that in the putrefaction and fermentation of the vegetables, great numbers of insects and little animals were generated, though (as he says) the vessels were never so close stopped: And indeed it is commonly observed, that putrefactions do terminate in animals of one sort or another.

The relations of barnacles, that are said to be birds arising out of the putrefied relics of shipwrecked planks, which relations have been confirmed to me by an eye-witness of unsuspected credit, are further confirmed by the testimony of an eagle-eyed philosopher, who tells us he hath seen a creature of that kind; for so I understand Julius Scaliger, when, in his 59th exercitation against Cardan, he says, *In oceano Britannico magis mireris ignotam avem, anatis facie, rostro pendere de reliquiis putridis naufragiorum, quoad absolvatur, atque abeat quæsitum sibi pisces, unde alatur: hanc quoque vidimus nos.*

To the former story, Scaliger, in the same exercitation, adds another, which he calls miraculous; it is of an oyster-shell, not very great, that was presented unto Francis, King of France, and contained in it a little bird, almost finished with pinions, feet, and the bill, sticking to the extremities of the shell. This bird, he says, some learned men believed a transformation of the oyster. His own words are these: *Singularis nunc miraculi subtexenda historia est, ubi de aquis agimus. Allata est Francisco regi opt. max. concha non admodum magna, cum avicula intus pene perfecta alarum fastigiis, rostro, pedibus hærente extremis oris ostraci. Viri docti mutatum in aviculam Ostreum ipsum existimarunt.*

My Lord Bacon, in his Natural History, century 4th, exp. 228, tells us, That if the spirits be not merely detained, but protrude a little, and that motion be confused and inordinate, there followeth putrefaction, which ever dissolveth the consistence of the body into much inequality, as in flesh, rotten fruits, shining wood, &c. and also in the rust of metals; but if that motion be in a certain order, there followeth vivification and figuration, as both in living creatures bred of putrefaction, and in living creatures perfect: But if the spirits issue out of the body, there followeth desiccation, &c.

In experiment 339, his lordship further tells us, that all moulds are inceptions of putrefaction, as the mould of pyes and flesh, the moulds of oranges and lemons; which moulds afterwards turn into worms, or more odious putrefactions, &c.

And methinks the production of plants without seed affords a very weighty argument for the like production of animals. My Lord Bacon gives us many instances of the former in the 6th century of his Natural History, where he tells us, experiment 563, that it is certain that earth taken out of the foundation of vaults and houses, and bottoms of wells, and then put into pots, will put forth sundry kinds of herbs: But some time is required for the germination; for if it be taken from a fathom deep, it will put forth the first year; if much deeper, not till after a year or two. And in the 565th experiment, he adds, that the nature of the plants growing out of the earth so taken up, doth follow the nature of the mould itself; as, if the mould be soft and fine, it putteth forth soft herbs, as grass, plantane, and the like; if the earth be harder and coarser, it putteth forth herbs more rough, as thistles, furze, &c.

Scaliger, in his 323d exercitation against Cardan, speaking of the production of frogs, that sometimes have been rained in great abundance, of which there he gives several instances, tells Cardan, who affirmed them to be bred of frogs eggs or spawn, that they were spontaneous or equivocal, as being productions of a general nature, and not seminal ones; which kind of animal productions he evinceth to be possible the same way that I have, by shewing that there are the like in plants. *Quid multa*, says he, *nonne quotidiana factura cælestis genii, quæ natura est potentiam declarant plantæ, nullis ortæ seminis?*

My Lord Bacon assures us for a certain truth, that toads have been found in the middle of a freestone, where it cannot be imagined that an animal of that kind should come and lay her eggs; and I have been credibly informed, that very lately a living toad was found in the heart or middle of a large oak when it was felled.

The animation of horse-hairs lying in the summer-time in pools, has been observed of many, some of whom I have discoursed concerning it; and an understanding man of my acquaintance assured me, that more than once he hath made an experiment which very much confirms the truth thereof. He takes a hair with the root, plucked from the mane or tail of a mare that is proud, and in a warm season puts it into a wooden dish full of water, where, letting it lie two or three days, the hair in that space will, for the most part, become quickened with a strong motion, and a head like that of a serpent grow out of its root.

The infectious water of the showers that accompany the tornadoes on the African coast, standing any where, do (as Mr Terry tells us in his relation of a voyage to East-India) presently bring forth many little offensive creatures; which is likewise affirmed by Mr Herbert.

The vermination in human (as well as other animal) bodies, of which there are innumerable instances in medical writers, as in Bartholinus's Centuries, in Borellus's, in Tulpius's Observations, &c. is another weighty argument for spontaneous generations; but I will mention only one: A worm of an unusual figure, with the head of a serpent, found in the left ventricle of the heart of a gentleman, whose name was John Pennant. The relation well attested, together with the figure of the worm, was in the year 1639 printed at London, by one George Miller, to which relation I refer the reader. This phenomenon of vermination is a good evidence of spontaneous generation; and this a weighty confirmation of the existence of a mundane soul.

Another argument for it may be taken from the difficulties that the admittance thereof will remove, as to the production of human souls; which some conceive to come, as they express it, *ex traduce*; not indeed by way of eduction from the power of the matter, for they acknowledge no such power therein, but by propagation. But others think them immediately created by God, either all at once, as those do who hold the

doctrine of pre-existence, or (as most imagine) on occasion, according to the exigence of matter.

As for the first opinion, that of traduction, I find it in Nemesius, Lib. de Nat. Human. cap. 2. where he tells us, it was the sentiment of Apollinarius, that souls do propagate souls, as bodies do bodies; and Julius Scaliger concurs with him, affirming that souls may come from souls, *ut lumen de lumine*, that is, that souls do propagate one another, after the same manner as candles light one another. Poiret believes, as the two former, that souls are propagated, but extends the business of propagation somewhat further than they do, and upon other grounds: For in his *Cogitat. Rational.* 1. i. c. 5. in Annotat. he affirms, that all things are prolific, and that as matter produces matter, and motion is productive of motion, so in like manner one soul or spirit may generate and produce another.

But there are many difficulties in this opinion; of all of which I will insist on this only: That a soul, if it be an immaterial substance (as most conceive it to be) is as incapable of propagation (otherwise than by a metaphor) as it is of discription or actual division. For even the propagation of light is by discription; some effluvia or emanations of the enlightening candle passing into that which is lightened. And for the propagation of motion, the way thereof is so obscure, it cannot afford light to this subject: Only this is certain, that in local motion derived from body to body, so much of it as is imparted unto one, departs from the other; which (I suppose) will not be admitted in the propagation of spirits. And as to the prolifickness of matter, I should think but few will allow thereof, who consider that there is no more of matter in the world now than ever was, and that matter is ingenerable and incorruptible, being a subject of all substantial mutations, but not the term of any: So that if the generation of souls has no other or no better foundation than this, That soul is productive of soul, as matter is of matter, I conclude the belief thereof will never become general with knowing men.

As for creation of souls (an opinion generally held by divines, and among our late philosophers particularly embraced by Des Cartes) many objections lie against it, of which I will touch but one or two, as sticking most with me.

The first is, that it seems a little unphilosophical to call in a supernatural agent for a business and work of nature, such as is (if any is) the propagation of kind: My full consent is with Julius Scaliger, when he says, *Nihil quod est in natura præter naturam est*: Nothing is in nature that hath not a cause in nature.

Again, it may be further argued, that if human souls are immediately created by God, it must be admitted that those of beasts are so too, since nothing can be clearer, even to sense, than that men and beasts do propagate their kinds the same way, whether that way be by creation, by traduction, or by any other whatever. There is in mankind, as well as in the kinds of beasts, a distinction of sexes for the business of generation; a furniture and disposition of organs for it in both; and in both a like use and application of organs. All men and beasts are alike conceived in their respective wombs, alike nourished and augmented, and both come out in the same manner; and therefore there being the same evidence, it is but reason to make the same conclusion for both.

I know this argument will have but little effect upon Cartesians, who, against the testimony of sense, believing that beasts are only machines, without any conscious perception or knowledge, do not own them to have souls as men have, in the proper sense of the word. But yet it cannot want its due weight with all others, who, believing their own, refuse not senses unto beasts; as thinking they have reason to conclude that beasts see and hear, &c. as men themselves do, because they have eyes and ears, &c. as men themselves have, and, to all appearance, make the same use of them upon occasion, as men themselves upon the like occasion would do. And all these will find

the same reason to infer that men and beasts beget their like the same way, because there are the same appearances to make us think they should.

These appearances are obvious, and they ought to be considered; nor are they capable (I think) of being solved, or the other difficulties that do lie in both the ways of creation and traduction, capable of being removed otherwise than on the hypothesis I have proposed, by acknowledging a mundane soul, that, according to the exigence and disposition of the matter, is always ready with a portion of itself to animate and actuate it; so that there is no need of any new creation, of pre-existence, or of any traduction of particular souls. But to proceed.

There is another phenomenon very obvious that is better solved on this hypothesis of a mundane soul, than it can be on any other; to wit, that certain animals do move and stir, and give other tokens of life and sensation, though cut in several pieces, such as eels, snakes, earth-worms, butterflies, &c. This in the common way is hard to be conceived, since it must infer either that there is a discription and actual division of souls, of which, if souls be immaterial, they are absolutely incapable, or else that vital effects may remain in being after that the soul, which is the next immediate cause of those effects, is departed; contrary to the maxim, *Sublata causa, tollitur effectus*.

But the reason of this phenomenon, if we suppose an universal mundane soul, will be very plain: For since the parts of those divided animals do retain for some time the same qualities and dispositions that they had before their separations, there not being in them, as in those of other animals, that sudden dissolution of the texture, or of the spirits, it follows that they must receive the same influences which they had before from the mundane soul, and consequently, that for some time they must continue to live, and in convenient circumstances would longer; for like reasons as the parts of vegetables do which, though separated from their wholes, yet continue to live in slips, in buds, in grafts, when inserted into other wholes. Nor do I see but that the parts of animals might be inoculated, or ingrafted into animals, as well as those vegetables are into vegetables, if the qualities and dispositions of animal parts, when separated, could be as well preserved as those of vegetables, and a coalition of them as well made: A sentiment that is confirmed by the experiment of Taliacotius, and by all the others that the *Chirurgia Curtorum* affords.

Thus I have instanced in a few phenomena of nature, to which I might have added many others of a higher quality; but these sufficiently confirm my hypothesis, against which I cannot imagine any objection of moment capable of being raised except this, that it does seem to render the distinction between human and inferior souls less conceivable, and in consequence the immortality of the former.

But this objection will soon vanish, if we but suppose there is a firm and indissoluble union between the spirit of God and its vehicle in man, and that there is not the like union between it and its vehicle in inferior animals. And this supposal is not without ground; for such a firm indissoluble union betwixt the spirit of God and its vehicle, must be admitted to be in angels, if they are (as they are) immortal; and then the ligament or bond of that union, provided it be natural, must consist in a natural, but a naturally immutable, congruity. Now the system of spirits, that in man is the vehicle of the mundane soul, must be owned to have more alliance unto that of angels than the vehicles of it in inferior animals have, if we consider the advantage the human understanding hath in excellency of operations, above the imagination of beasts; and also consider that the souls of men are capable of the divine image, which those of beasts are not: For thence it will evidently follow that the former have more of a natural congruity to the spirit of God, which is the soul of the world, than the latter have; those as to their vehicles being of a celestial, but these of a terrestrial and elementary matter. No wonder then if the spirit of a man, when he dies, goes upward, but that of a beast goes downward.

Thus, sir, I think I have evinced from the holy Scriptures, and from several phenomena of nature, that there is a principle of life diffused throughout the universe; and I have likewise evinced that it was the sentiment of many great philosophers: So that, though I am not very fond of any opinion, I hope I may say of this, without injustice to Mr Keil, that what he hath offered in contradiction to it, does in no degree impeach its credit, or lessen mine for asserting it. However, I do own I am obliged to that ingenious gentleman for the occasion he hath given me of further explaining and confirming my hypothesis, and thereby too of professing a second time before the world, that I am, with the greatest respect,

Sir,

Your devoted humble servant,

June 13, 1698.

RICH. BURTHOGGE.

[*From the Collection of Sir Thomas Robinson, Bart. of Rookby-Park, in the County of York.*]

DURING
THE REIGN OF QUEEN ANNE.

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CLASS FIRST.

ECCLESIASTICAL TRACTS.

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QUEEN ANNE.

A full Enquiry into the original Authority of that Text, 1 John, v. 7. "There are Three that bear Record in Heaven," &c. containing an Account of Dr Mills's Evidences from Antiquity, for and against its being Genuine : With an Examination of his Judgment thereupon. Humbly addressed to both Houses of Convocation.

JEREM. xxiii. 28. "He that hath my word, let him speak my word faithfully : what is the chaff to the wheat ? saith the Lord."

The learned Dr John Mill was the editor of the most beautiful Greek edition of the New Testament, a work executed with infinite labour, and entirely at his own expence. Yet he escaped not censure ; for not only Collins, and other free-thinkers, endeavoured to found arguments for scepticism on the variety of various readings published by Dr Mill, but even sincere well-wishers to Christianity became alarmed lest these variations should invalidate the authority of the sacred text. Dr Whitby, upon this subject, published his *Examen Variantium Lectionum Johannis Millij.* Lond. 1710. The present author, an unitarian, if not an absolute sceptic, has availed himself of the mass of various readings, collected by Dr Mill, to attack the authenticity of that text of the Gospel of St John which has been received by all orthodox divines as decisive evidence of the doctrine of the Holy Trinity.

'Tis possible the laborious enquiries of many learned critics, who with great diligence and accuracy have sifted and scanned the classick authors, some of them of no great moment, may be esteemed by others only as the ingenious diversions of a dexterous and sagacious mind : Since, when they have presented their authors a-new, with their emendations and corrections, in restoring their old, or giving them new beauties, 'tis oft of so little use or consequence to the world, that 'tis well if their painful studies escape the censure of being a laborious loss of time.

But when learned and judicious men do, with seriousness and humble reverence, apply their industry and sagacity to examine the far more important writings that are to guide us in the way of salvation ; when they shall discover the interpolations and additions, the errors or defects, which these, as well as other writings, by oft transcribing, may in so long a track of time have been liable to ; when, by diligent comparing ancient manuscripts and versions, and the frequent citations of the text in the primitive

Christian writers, they become able to inform us certainly what is original and genuine, and what not, in any part of the Bible, more especially where some matter of great moment is concerned; their learned industry is then sure to be well employed, and will be recompensed not only with the applauses of the curious, but the thanks, and which is more, the real edification and satisfaction of the serious enquirers after truth, who greatly desire to know what God would have them believe and do, and to have the chaff separated from the wheat, and the *το ἄδολο γάλα*, the sincere unadulterated milk of the word, for their spiritual growth.

The peculiar veneration due to the sacred writings requires us to keep that precious depositum as pure as possible, and free from all human spurious additions. Why then should the learned criticks exhaust all their learning, reading, and discerning skill, upon the trifles of a witty or wanton poet, or a fabulous and remote historian, and wholly neglect to make as severe an enquiry into the holy scripture, in which are the words of eternal life, in order to discover what is the genuine text, among the various readings of different copies, that we may build our faith upon it with the greatest certainty we can attain to?

I know, a late ingenious author of the *Difficulties and Discouragements* which attend the Study of the Scriptures, has pointed at the worldly discouragements, which, he judges, have tempted our cautious criticks to turn their studies another way. I wish him success in his address to have these hindrances removed, that it may be as safe, where 'tis more important, to do justice to the writings of the apostles as of any other author.

The very learned and judicious Dr Mills has done much for one man, in his celebrated labours on the New Testament; which, whatever may be wanting, will long stand as a lasting monument of his praise-worthy zeal and well-employed abilities. A specimen of what he has done upon one single verse I am now to produce: And if upon a full and impartial consideration it shall appear to your unbiassed judgments, that there is abundant evidence of a spurious addition, may I not justly hope that the rulers and guides of the church, who can better judge of such evidence than the unlearned can, will yield their conscientious compliance, and not render such commendable enquiries fruitless, by refusing to receive the truth, and to rectify our books, when the true reading is found? Else to what purpose do men enquire how it was in the beginning, if we resolve not to return to it? or to search after the right, if we will still adhere to what is wrong, and will rather maintain custom than truth?

This is what I shall have some right to insist upon, and for the sake of truth to press upon your lordships and the clergy; when I shall have made it appear, from his dissertation on 1 John v. 7. that the doctor himself has overthrown the credit of that text, by the evidence that he has given that it is not original and genuine, though he has not acknowledged himself overcome by it.

In order to manifest this, I shall,

I. In the first place (for the sake of others, who need more information) lay down the sum of that evidence which the doctor has produced, to shew that these words in the seventh verse, "There are three that bear record in Heaven, the Father, the Word, and the Spirit; and these three are one;" or rather these words in the seventh verse, "In Heaven, the Father, the Word, and the Spirit; and these three are one;" and (ver. 8.) "There are three that bear witness in earth;" were not in the original text, but have been added in later times without just authority.

II. I shall put down what he had to offer on the other side, for establishing the authority of these words, and upon which he has determined in favour of their being original and genuine.

III. I shall shew the weakness of those arguments by which he endeavours to sup-

port the authority of this text, that so it may be judged whether he had just reason to make such a determination, or we to abide by it.

I. I must lay down the evidences produced against the authority of this text, as not having been originally in St John's epistle. Only let me first observe, that the text itself, and context, have no internal evidence, to persuade us that the words are genuine: For as these words themselves are not to be matched with any in the whole Bible, so the context is compleat without them, and rather more smooth and easy. The three following witnesses having been already distinctly spoken of, it was very natural to sum them up in one conclusion; "There are three that bear witness, the Spirit, the Water, and the Blood." But the other three witnesses had not been mentioned, to give occasion for the like to be said of them.

Nor was it likely the Spirit should be produced as another witness on Earth, if it had been numbered before among the witnesses in Heaven. The Spirit was no more an inhabitant of the earth, than the Father and the Word were; who also operated and gave their testimony, not in Heaven, but on earth. Nay, the Word Incarnate was more properly an inhabitant of the earth than the Spirit, and yet is not reckoned among the witnesses on earth. Is it likely the Spirit should be made twice a witness in the matter, and so give two testimonies for one of the Father and Word?

But since the doctor's enquiry was only after external evidence from authorities and testimony, it shall be my present business to examine them.

And here it must be owned, that Dr Mills has done justice; so that very little more can be said in the case. 'Tis a subject which had been long and often examined, with niceness, from the beginning of the Reformation, and very much illustrated by the great sagacity of the late learned and laborious critick, Father Simon, in his *Critical History of the New Testament*, chap. 18. Dr Mills's business was, not so much to search for evidences, as to collect, with no small pains, what had been offered; and to present it in one view, and in good order.

These evidences are taken, (1.) From ancient Greek manuscript copies. (2.) The ancient versions. (3.) The writings of the ancient Christian fathers. And indeed whither should we go to learn what was in the apostles writings, but to the oldest copies of those writings (which are lost or consumed themselves) and the oldest versions made from them, and to the old Christian writers who have transcribed very much of them into their own books?

(1.) Let us hear how many ancient manuscript Greek copies are without this text. The doctor tells us, in his notes on the words, that 'tis certain all these words, "in Heaven, the Father, Word, and holy Spirit; and these three are one: And there are three that bear witness in earth," are wanting in most copies. Then he enumerates them particularly, in his dissertation upon this subject; beginning with our famous Alexandrian copy, which elsewhere he calls *Ingens Thesaurus Orientalis*,¹ and the most precious treasure the Christian world ever saw for these twelve hundred years, and by far the most ancient copy in the world, which most exactly expresses the original.

Next comes the famous Vatican copy, which he extols much after the same manner, as of very great credit, and above twelve hundred years old;² by which, according to Pope Leo's order, the Complutensian edition was to be made. 'Tis enough to shake the credit of this text with all impartial men, that 'tis wanting in these two, the most valuable and ancient copies we know of in the world. Yet besides this, the doctor gives a long roll of the other very valuable manuscript Greek copies, in the most famous libraries of the learned, and of our two universities, and of the French king (where Father Simon made a diligent search, and says he found not one that had these words, of all the seven which he viewed, nor of the five manuscripts of Mr Colbert,

¹ Proleg. p. 143, 144.

² P. 108.—*Orig. Notes.*

though some of these be of later date)¹ also two at Basil, one at Venice, and many more. All these want this text, though in some of the later manuscripts there are in the margin short notes, by way of gloss or comment, over against the Spirit, the Water, and the Blood; applying these to the Father, Word, and Spirit, according to an ancient mystical interpretation, of which hereafter. And from the margin, Father Simon judges these words did afterwards slide into the text, which are in our seventh verse; which is a very natural and easy account, and the only way by which Dr Mills himself accounts for so many other interpolations, in his notes, and his prolegomena.

And whereas Dr Mills once thought Robert Stephens had found the words in eight manuscripts (because of fifteen copies which he had, he mentions but seven as wanting this verse; whence the doctor slipt into the common mistake, and took it for granted that the other eight had it) he found upon examination that those eight copies of Stephens had not St John's epistle in them: So that all which had the epistle wanted this verse.²

To these of Dr Mills, the learned Dr Kuster adds one authority more, from the Codex Seidelianus, brought out of Greece, and about 700 years old.³ So that I think I may say, in one word, all the Greek manuscripts which are found do agree in rejecting the text under consideration.

(2.) He considers the ancient versions of the New Testament. These were made for the use of such people as in early times were converted to the Christian religion, but did not understand the Greek language, in which the New Testament was written; for their benefit it was translated into their own language. The most ancient of these versions were the Syriac, Coptic, Ethiopic, Arabic, Latin, all which, with the Russian, have not the text: So that when these versions were made, there was no such passage in the Greek copies or original, whence they were made. Of the Latin version the doctor says,⁴ 'Tis certain this verse was wanting in all the most ancient Latin copies, except some in Africa, in Tertullian's and Cyprian's time, &c. Which exception is a mere supposition grounded on his mistake (as I shall shew) that Tertullian, and especially Cyprian, had cited these words in their books.

The ancient Italic version,⁵ he says, was made near to the apostles time from the best copies. Of the Coptic,⁶ that it was from one of the best and earliest. Of the Syriac,⁷ that the learned agree it was made in the very next age to the apostles. He tells us moreover, that even the Latin manuscripts at Basil, Zurich, Strasburgh (800 or 900 years old) and two others, *Duo Donatiani*, want these words: That the words however are inserted in the bottom of the page in one by another hand; and in the margin, by the same hand, in another.

Father Simon observes, that in these later copies of St Jerom's Bible, where these marginal notes are found, the order of the words, and the three witnesses, are various and diverse; which he takes to be a good proof that they were not in the first copies; who adds also one very old French version, of a thousand⁸ years, which has not the words.

I need but mention the first editions of the New Testament, corrected by the manuscript copies, about the beginning of the Reformation; viz. by Erasmus, Aldus, Colinaeus, printed in divers places; which he owns had not this verse, nor the versions of Luther; because these are of no authority beyond the manuscript copies by which they might be directed; which, it appears, did then want this verse, otherwise they durst not have left it out, in prejudice to a received opinion of the church, and in contradiction to the vulgar versions at that time.

¹ Crit. Hist. p. 18.

² Proleg. p. 117.

which is what I make use of.

⁴ Certum est hunc versiculum abfuisse à vetustissimis Cod. Latinis omnibus, præter Africanos quosdam, &c. p. 140.

³ In his edition of Dr Mills's Test. Rotterdam 1710,

⁵ P. 141.

⁶ P. 152.

⁷ P. 128.

⁸ Crit. Hist. ibid.—Orig. Notes.

(3.) He examines the writings of the primitive Christians or fathers: Forasmuch as these very frequently cite the sacred writings on all occasions, and had such frequent and great occasions to speak of the Trinity, and of the Holy Spirit, it may well be concluded, such a text, of singular importance, and so exceeding pertinent to their design, and where there is no other text to supply the want of it, fully or directly in the whole New Testament, could not be forgotten by all of them, and at all times, if it had been known by them. And here,

1st. He makes enquiry among the Greek fathers, to see if he can hear of this text among them, who were most likely to have seen the authentic originals of the apostles, and need not a version into another language. Of these he gives this melancholy account: *Neminem unum*, &c. "That not one Greek writer from the beginning of Christianity to St Jerom's time (about 400 years) has ever cited this verse." And adds, "'Tis certain it has been wanting in the Greek copies very near from the apostle's writing this epistle," Dissert. p. 583, 584. And therefore wonders at the author of the preface to the Canonical Epistles, in the Latin Bibles, which passes under the name of St Jerom, for saying this verse was in all the Greek copies: Whereas, says the doctor, "not one of the antients had ever heard a word of it." For which, and other reasons, he justly concludes, as do other criticks, that it is not St Jerom's.

Not content with these generals, he runs over the particular most eminent Greek fathers, and those who were most likely to have produced this text, if they had known of it, who yet never mention it.

1. Not Irenæus, l. 3. c. 18. who, to prove the deity of Christ, cites this first Epistle of John (more than once) nay, he cites this fifth chapter, and yet says nothing of this verse which had been so apposite to his design.

2. Not Clemens Alexandrinus.

3. Not Dionysius Alex. or the epistle, under his name, to Paul of Samosata, almost wholly about the Trinity and the deity of Christ; in which the eighth verse is cited, and the three other witnesses, the Spirit, the Water, and the Blood, but not the words in dispute.

4. Not Athanasius himself, who had his wits about him, and as much at work in these matters as any man; in whose genuine works (more to be regarded surely than the spurious books falsely attributed to him for the other side) even those in which he labours to prove the Trinity and deity of Christ and the Holy Spirit, by all the texts he could think proper, we find no mention of this great text, as he must have deemed it. So that the doctor again confesses, he knows not of one Greek father, before the time of the Nicene council, who ever cited it.

5. Not the fathers of the council of Sardica in their synodical epistle; ² in which, for proof of a trinity of persons in one essence, they alledge John x. 30. but not these words, "The Father, the Word, and the Spirit; and these three are one;" which had been much more fit to their purpose. They needed not twice have cited, "My Father and I are one," which yet did not include the Spirit at all; once urging this passage, "These three are one," had been better for their purpose than a hundred repetitions of that other text.

Certainly all those fathers, who came from so many several quarters, out of Asia, Africa, and Europe, as the preamble of the epistle shews, could not be ignorant of this text which they so much wanted, if there had been any knowledge of it in any part of the Christian world.

6. Not Epiphanius, who, among the many texts alledged against the Arians and Pneumatomachi, quite omits this.

7. Not Basil, in his book of the Holy Ghost, whom he had a mind to join with the

¹ De quo nemo veterum quidquam inaudiverat.

² Theodor. l. 2. c. 8.—*Orig. Notes*.

Father and the Son in the doxology, but was kept in awe by such as watched his words.

8. Not Alexander Bishop of Alexandria, among the many texts for the unity of the Father and Son, in his epistle, Theodor. l. i. c. 4.

9. Not Nyssen, in his thirteen books against Eunomius, of the trinity and deity of the Holy Spirit.

10. Not Nazianzen, in his oration against the Arians, or in his fifth Oration de Theologia; where, to prove the Spirit to be God, he alledges the next words, but not these.

11. Not Didymus, in his Book of the Holy Spirit.

12. Not Chrysostom, on the same subject.

13. Not Cyrill of Alexandria, though he cites the verses before and after, to prove the deity of the Spirit; Thesauri Assert. 34.

14. Not the author of the Exposition of the Faith, among Justin Martyr's works; who endeavours to prove the Father, Son, and Spirit to be of one essence, from their being joined together in Matt. xxviii. 19. but not from this text, more directly for his purpose.

15. Not Cæsarius.

16. Not Proclus, though both of them upon a subject that gave occasion.

17. Not the Nicene fathers themselves, according to Gelasius; for Leontius, Bishop of Cappadocia, answering, in their name, the arguments of a certain philosopher, who opposed the deity of the Holy Spirit, among other texts insisted on the words immediately preceding, viz. "It is the Spirit that witnesseth, because the Spirit is truth;" but omits this verse.

Here let me add what Du-Pin observes, That as no Greek father, for five hundred years, quoted this passage, so two of them, viz. Didymus of Alexandria in the 4th century, and Oecumenius in the 11th, have written commentaries upon this epistle of St John, and yet mention not this verse; "which," says he, "proves that either they did not know it, or not believe it to be genuine."

Thus far then the way is clear through the ancient Greek writers for so many hundred years; even to an age or two after Athanasius, as the doctor confesses.^a

2dly, For the Latin fathers; the doctor grants, that neither the author of the Treatise of the Baptism of Hereticks, among Cyprian's works (though he mentions the verses both before and after) nor Novatian, nor Hilarius, nor Calaritanus, nor Phæbadius, have ever cited these words. Nor Ambrose, who also has the verses on both sides; nor Jerom, nor Faustinus, nor Austin, who yet would have the Father, Son, and Spirit, to be mystically signified by the Spirit, the Water, and the Blood, in the next verse. Nor Eucherius, who has the same notes on the next verse; nor Leo Magnus, nor Facundus Hermiensis, who also cites the eighth verse. Nor Junilius, nor Cerealis, nor Bede (in the eighth century) who, in his comment on this epistle, expounds the three other witnesses, but not this seventh verse.

Though soon after his time, the doctor says, the western bibles began to have it common; which I shall not much dispute.

The reader must note, that all these ancient writers are here produced, not merely for not mentioning these words (for then a much greater number might have been brought) but because they treated professedly of such subjects as required the assistance of this text, and many of them of the context and next verses. And therefore,

^a Hist. of the Canon, vol. 2. p. 78.

^a Quinimo nullum omnino Codicem Græcis Ecclesiis in usu fuisse credo, nisi qui ad mutilatos quos dicimus, descriptus sit, pene ab ipsius Archetypi Scriptura usque ad seculum unum vel alterum post Athanasium.—*Orig. Notes.*

though others might omit it, as not having occasion to allege it, yet all these could never have omitted it on any other reason but this, That they had it not in their bibles (as the doctor justly argues) for above 700 years.

Now, methinks, here is a pretty large stock of evidence, and as much as one can well require for a negative, to shew that this verse was not originally any part of the New Testament: And one had need have very direct and peremptory testimonies to the contrary, to make him so much as to hesitate in the matter. There must be great weight, to cause an æquilibrium, and much greater to turn the scales, and make him determine for what seems hitherto irrecoverably lost. But I forbear, till I have considered,

II. What Dr Mills has offered for superior evidence on the other side, to prove this verse genuine, against all that has been said.

And now he has a hard task indeed to undo all that had hitherto been done, and to prove this text authentick, against all these manuscript Greek copies, all the old versions, all the before-mentioned primitive writers, both Greeks and Latins, down to the eighth century, who all that while knew nothing of it.

No doubt it would be a grateful service to the church, of which he was a worthy member, if he could justify her putting it into her bible as current scripture, (though that has been but of late) and could support the credit of a text, on which, principally, some important branches of her creed and publick offices seem to be founded. Here is a great deal to excite one to try what can be said, by a kind friend, in the case, who was unwilling to leave the matter fairly stated on both sides, without giving it the weight of his own judgment on one side, which, no doubt, had otherwise been thought to be for the contrary. 'Tis well known how many are apt to regard a learned author's own opinion, more than to examine his premises, or weigh his arguments. But what has he to say in this cause?

In the first place, I must shew what arguments he refuses to make use of; especially two, which have been often urged by others, through mistake, or want of judgment, or popular prejudice. As,

1. That the Arians have razed this text out of the Bible, because it thwarted their opinion. This passes for current among the people, and is taught them by their expositors, even by Dr Hammond, and many other less judicious commentators. But the learned Dr Mills rejects the suspicion of this with indignation and scorn: For how should the Arians, says he, put out the words which were out already, 150 years before Arius was born?¹ And he says, that Ambrose, who, alone of the ancients, objected this, in relation to another text, John iii. 6. (not the text in dispute) was under a mistake; as he shews in his notes on that place.

Nor will the doctor suspect any of the Gnostic heretics in former times; whom their opposers accused indeed of making new gospels, but not of corrupting the old: Only Marcion was charged with interpolating the gospels and St Paul's epistles, but not the catholick epistles. Nor could they corrupt the copies in other Christians hands, nor yet those in their own, without being soon discovered. Thus the doctor clears the hereticks, as being without just cause suspected in this matter: I don't think any heretick corrupted the text in any part, much less in this famous testimony of St John.²

2. He utterly rejects the authority of the preface to the canonical epistles, under the name of St Jerom, in the first printed Latin Bibles; which pretends that all the Greek copies had this verse, and that the Latin translators had done unfaithfully in omitting it. And though even the Latin Bibles which had this preface, wanted this

¹ Quid enim illis cum hac pericope, sublata è contextu Græco 150 annis antequam Arius nasceretur?

² Non puto quenquam hæreticorum S. Textum in aliquo, nedum in hoc nobilissimo Johannis testimonio, depravasse.—*Orig. Notes.*

verse, after the complaint made, (which shewed that the preface and the version were not by the same author) yet this gave great trouble to Erasmus, and others, how to reconcile this to the plain evidences of the contrary: He was well assured the verse had not been in the Greek copies, and therefore charges Jerom with falsehood and forgery. And the learned Bishop Fell was at the needless pains of vindicating St Jerom, and justifying his preface, in his notes on Cyprian; when, after all, our learned doctor, who acknowledges that himself once had a great regard for this preface, before he had examined into it, is fully convinced (with Father Simon and Du Pin) that 'tis not St Jerom's, nor is it found in the most ancient manuscript copies of his version; nor with his name, in some other copies where it is, as Father Simon tells us, Crit. Hist. c. 18. but is the work of some silly rhapsodist after Bede's time, as the doctor says, and then joined to the Bible, which contradicted the preface.

So that the learned will no more be troubled with this pretended authority of St Jerom's preface, nor get any aid from it, towards the support of the credit of this verse we are enquiring after.

I am next to consider what authorities the doctor does insist on, on behalf of this text.

As for testimonies from the ancient Greek writers, he had left himself very little to say from them, having confessed there is not one of these, before the council of Nice, who takes any notice of this text. And therefore, though he puts down *Scriptores Græci* for one of his topicks, he is hard put to it to find any, and is content to mention only one oblique testimony, which he would have pass for probable, from a spurious work falsely ascribed to, but long after Athanasius.¹ And he is suspected to be a Latin author too, who only says Ἰωάννης φάσκει ὁ τρεῖς τὸ ἓν εἶναι. John says "These three are one;" which τὸ ἓν, with the article, are neither exactly the words of the seventh nor eighth verse; and F. Simon judges they refer to the latter, which was usually applied to the Father, Son, and Spirit, at that time; as Dr Mills owns it was in St Austin's. Hence he leaps at once down to the council of Lateran under Innocent III. in the 13th century, and to Calecas in the 14th, who was a Greek, and turned to the Latins; all which is to no purpose at all, but to increase the number of testimonies.

The Greek manuscripts, he pretends, (which will be found only supposed) are, 1. A manuscript in Britain of which Erasmus speaks, and by which he was moved (against his own free judgment) to put these words into his last editions of the New Testament, against the evidence of all the other manuscript Greek copies. 2. Some manuscripts which the doctor supposes Robert Stephens to mention, as having most of the words; all, except ἐν τῷ ἁρανῶ, in Heaven. 3. The ancient Vatican copies, which the editors of the Complutensian Bible say, in general, they were directed by, and the doctor hopes they were so in this particular, which they have taken into this edition.

I think it will appear that all these are but suppositions of such copies as never were seen, nor produced by any others to this day. To all which, Dr Clark, in his reply to Mr Nelson, p. 207, has given a learned and full answer, except to Stephens's manuscripts, where he seems to have mistaken the objection; of which hereafter.

As to the versions, Dr Mills had none very ancient to bring. The vulgar, of which some manuscripts have it, and others want it, as is noted by the Louvain editors; the Italick printed at Venice in 1532, (while the old Italick, and St Jerom's correction of it was otherwise) are not worth regarding in this matter: Nor the *Apostolos*, or collection of sections out of the apostles books, with some remarks, printed at Venice 1602. Only, whereas the doctor mentions the Armenian version for having this verse, as he was informed; the very learned Sandius testifies the contrary, having himself seen it, with the Armenian bishop, at Amsterdam, Append. Paradox. p. 376.

¹ Auctor Disputationis in Concil. Niceno.—Orig. Note.

Lastly, the doctor produces his Latin fathers, which are, indeed, his main strength and confidence.

1. Tertullian, *contra Prax.* c. 25. his words are: "The Paraclete shall take of mine, says Christ, as he did of the Father's. Thus the connexion of the Father in the Son, and of the Son in the Paraclete, makes the Three closely united, which Three are One, but not one person; as 'tis said, I and my Father are One." Which the doctor thinks, with Bishop Bull and Dr Hammond, are an allusion to our text in dispute.

2. Cyprian, *de Unitate Ecclesiæ*, his words are: "'Tis written of the Father, Son, and Holy Spirit, these Three are One;"² or, "Three are One," as some copies have it: And his Epistle *ad Jubaianum*, *Tres Unum Sunt*, "Three are One," without any reference to the Scripture expressed. And near three hundred years after comes Fulgentius, a bishop of Africa, and says, that Cyprian, in the former words, had respect to St John's testimony.

3. Victor Vitensis, who tells us of a confession of faith presented by Eugenius Bishop of Carthage, and other bishops, to Hunnerick King of the Vandals; in which this text is cited as from St John, in the manner we now have it, in the year 484.

4. Vigilius Tapsensis, Fulgentius, and the author of the Explication of the Faith, ad Cyrillum.

And thus you have the whole of what must overbalance all the evidence on the other side; which, whether it will do or not, is to be considered under my next head: Therefore,

III. I shall shew the insufficiency of these arguments brought to support the authority of this text, against those produced to overthrow it.

I suppose no man of reason will desire me to give any answer to what the doctor could lay no stress upon: I mean, such modern testimonies as Calecas and the council of Lateran, our late editions and versions, or the vulgar Latin Bibles since Bede's time. Therefore I shall say no more to them; nor indeed to Vigilius Tapsensis and Victor Vitensis, nor to any writer so long after the heats between the Arians and Athanasians, and when the invasions of the barbarous nations had thrown all into confusion and ignorance. Such modern testimonies will only tell me, that these words did at last appear. All this I know well enough; for I see they are brought into the Latin versions, and since that into our printed Greek copies; and into our English translations, first in little characters for distinction, and next with as good a face as the rest of the text. And if this began to be done in the fifth, or sixth, or seventh century, what is that, any more than if it was in the fifteenth or sixteenth? But if the words were not in St John's Epistle for so many hundred years, nor known to the Christian church as such, I shall conclude, that no man can give a good reason for admitting them since.

And a thousand smooth suppositions (which are, in like cases, found to be false by daily experience) that such and such a writer would not, in later times, have used the words, or put them into the Bible, if he had not good evidence they were in the original, are of no force against all the Greek manuscripts and fathers, which plainly shew they certainly were not there. If, upon the whole matter, there can be found not one Greek manuscript, or one Greek writer, who mentions it for a thousand years, nor one Latin writer to the fifth century (if St Cyprian be not the man, which shall be enquired into) what signifies all the rest? Men may be fond of a spurious issue, but that will not legitimate it.

Only with relation to Victor Vitensis, because the doctor lays such a stress upon it, as if the urging these words, in a confession of faith, so publicly presented to Hunneri-

¹ De meo sumet, inquit, sicut ipse de patris, ita connexus patris in filio, et filii in Paraclete, tres efficiunt co-hærentes, alterum ex altero. Qui tres unum sunt, non unus; quomodo dictum est, ego et pater unum sumus.

² De Patre, Filio, et Spiritu Sancto scriptum est; et hi tres unum sunt.—*Orig. Notes.*

cus, in midst of the Arians, in the year 484, was a good proof that they had been well known and received; at least, *ante unum seculum aut alterum*, an age or two before; and so will carry the evidence much higher than the year 484. Therefore I shall take some notice of this, and shew that in fact it was not thus, as he plausibly imagines.

What the credit of Victor's history, as we have it, is, I cannot well tell. I know it has found little with many, in his relation of strange miracles, not unlike those of monkish legends, viz. of many who could speak freely and articulately, when their tongues had been cut out by the roots; and sending his reader to Constantinople for an instance to prove it; with other miracles. But let that be as it will, I take it for granted, that he says true, in the matter before us; that in the creed presented to Hunnericus, this text was cited as from St John. But that it had not been commonly and long received, and well known as such, I think, is plain by what the doctor could not deny, viz. That St Augustine, Eucherius, and Cerealis, all of the same country, and in the same age, knew nothing of this text. Eucherius lived within thirty years of the time when this creed was presented; and the doctor tells us, he says it was common in his time to interpret the Spirit, the Water, and the Blood, of the Father, Word, and Spirit, as did Austin. Now if this text had been received then, what place had there been for such a mystical interpretation of the three Witnesses on earth? Nay, Cerealis was one of the African bishops at the same time, probably; for he flourished in the time of the persecution under Hunnericus; and who drew up a confession of faith also, at the demand of the Arian Bishop Maximinian; and had the same reason to have made use of this text, as Eugenius, if it had been current, as the doctor insinuates. Where then is the *seculum unum aut alterum*, the age or two before, in which this text had been admitted? I rather think it must have been some private composition, though it might be in the name of the other bishops, who were now scattered and banished. It is signed only *à Gasis Medianis Episcopis Numidiæ; Bonifacio Foratianensi, et Bonifacio Gatienensi, Episcopis Vizacenis*. So that it carries the evidence no higher than to that time, and that at the latter end of the fifth century some pretended this for text, which had been only an interpretation.

There remain then only two things of weight to be cleared:

First, The pretended Greek manuscripts.

Secondly, The testimonies of Tertullian, but chiefly of St Cyprian.

First, His Greek manuscripts pretended: These are of three sorts.

(1.) The British copy which Erasmus speaks of; who, not finding one Greek copy which had this passage, would not put it into his two first editions of the New Testament: But upon information of a copy in England which had it, did, against the faith of all his copies, afterwards insert it;² rather, as he confesses, to avoid the reproach of others, than that he judged it to be of sufficient authority. For which Father Simon thus rebukes him:³ "With what warrant could he correct his edition by one single copy; which, as himself believed, had suffered some alteration?"

And it appears he had reason to suspect it: For who ever saw this British copy since, or that would produce it? Dr Mills does not tell us where it was, or that ever he heard more of it. Such rare discoveries, so useful and grateful to the publick, are not wont to be lost again in so critical an age. What! cannot all the learned men of our two universities, nor our numerous clergy, give us some account of it? Surely either there was no such copy, or it is not for the purpose: Else it had probably, long before this time, been produced. I am apt to think it did the best service it ever could do, in the cause, in thus imposing upon the great Erasmus. Strange! that a British copy is only

¹ Biblioth. Patrum.

² Ex hoc Codice Anglicano reposuimus, quod ni nostris dicebatur deesse, ne sit causa calumniandi, tametsi suspicor Codicem illum ad nostros esse correctum.

³ Crit. Hist. c. 18.

Orig. Notes.

to be mentioned by one beyond the seas, while all Britain, and such an inquisitive British critick as Dr Mills, can know nothing more of it. Foreigners will expect to hear of it from us, rather than we from them. Father Simon says Erasmus saw it; but where does Erasmus say so? He only says (in his Annotations) there is found one Greek manuscript among the English, which hath it.¹ He needed not then have said, *Suspicio*, &c. he could, I think, have made a clearer judgment of it, if he had seen it. And if he was abused by misinformation or otherwise, 'tis hard first to deceive him, and then to make his mistake an authority in the case.

(2.) The doctor depends on the manuscript copies, by which he supposes the Complutensian edition was regulated; because these words are there, and the editors say, in general, they followed the best and most ancient manuscripts of the Vatican.

But, as they don't say that they were directed by those manuscripts in putting in this verse, so it appears they were not; because, by the doctor's own confession, the most ancient and most correct copy of the Vatican, which is so justly extolled by him, (and comes, at least, very near to the famous Alexandrian Manuscripts in the Royal Library here) wants these words which those editors have put in: And how then did they follow it so closely as is pretended? Nay, this excellent manuscript was that which Pope Leo recommended to them, as the ground-work and standard of their edition, to which they were to keep, and to note the variations of other copies in their margin, and which for the most part they did; and yet in this they forsook it.² And 'tis no wonder, if they did so by the rest of the Vatican manuscripts, as appears.

For Caryophilus afterwards, having by order of Pope Urban VIII. examined these Vatican manuscripts, tells us plainly, that all of them which have this epistle of St John, want this seventh verse: Though, out of respect to St Cyprian, he was for keeping it in;³ of which Dr Clarke has given an account in the place already referred to; together with an account of sixteen manuscripts (eight of them in the King of Spain's library) collated by the Spanish marquis, Peter Faxard (as F. Simon names him) and published by La Cerda, in his *Adversaria Sacra*, c. 19. from all which manuscripts nothing is alledged to justify their vulgar version, in keeping this verse. How then could Dr Mills presume so strongly that the Complutensian editors kept to their manuscripts here?

⁴ F. Simon saw the contrary, and says they followed the reading of the Latin copies here; and to vindicate it, have inserted a note from Aquinas, in the margin.

(3.) He pretends the seven manuscripts of Robert Stephens to warrant the words to be genuine. Stephens tells us he made use of fifteen manuscripts in his edition of the New Testament, only seven of which he has set down in the margin, as wanting some, at least, of the words in dispute; hence it was concluded formerly, even by Dr Mills himself, as well as others, that the other eight wanted nothing, but had the whole, as we have it. To this, the doctor's remarkable words, cited from his *Prolegomena*, by Dr Clarke, are a compleat answer; shewing that those eight manuscripts did not include this epistle of St John at all, and so were of no concern here. But Dr Mills was sensible of this, in his Dissertation on the Text, where he says of these eight manuscripts, *Reliqui has epistolas non exhibent*. And therefore he urges but the other seven, which are noted as wanting only ἐν τῷ ὁρανω, "in heaven," and authorizing the rest; "The Father, the Word, and the Spirit; and these three are one."

But as Dr Mills was too judicious not to see through this mistake, in placing a little mark, so he fairly owns his doubt about it, in his notes on the verse, if indeed the little hook be placed aright.⁵ For this depends wholly upon placing the semicircle, which marks the words that are wanting in such manuscripts, as are noted in the in-

¹ Repertus est apud Anglos Grecus Codex unus in quo habetur. Catena in Marcum.

⁴ Crit. Hist. par. 2. c. 9.

² Proleg. p. 103. ³ Ad finem

⁵ Si quidem semicirculus suo loco sit collocatus;

which Lucas Brugensis had said before.—Orig. Notes.

ward margin. In Stephens's fair folio edition, this mark or small hook falls after the words *ἐν τῷ ἔραυῳ*, as if these only were wanting; whereas it should have been placed after the whole verse, as F. Simon observes (or rather after the words "in earth," in the eighth verse, which, the doctor owns, in his notes, was the case of the most and best copies; and Simon intimates the same in his remarks upon the Louvain Latin Bible, by Hentenius, which had the like error.) And I wonder the doctor should say upon it, *Nescio quâ autoritate, neque dicit se istos libros consuluisse*; or that he had not consulted the copies, when he expressly said, "I he had consulted the manuscripts of the king's library:" And I think it was there Stephens found his.² It appears by Dr Mills's account, in his Prolegomena, that four of these seven manuscripts were in the French king's library; and since F. Simon could find none there that wanted only the words "in heaven," nor any one else pretends to find such elsewhere, I may safely conclude it was a mistake in placing the mark in Stephens, which the doctor was willing to take hold of. And the same Stephens, in his Latin edition of the New Testament, (as F. Simon tells us, Crit. Hist. part 2. c. 11. and as I have seen) included the whole passage within the mark; so that I think the case is plain, that all Stephens's manuscripts wanted this verse.

'Tis probable he put it into his own edition, from the Complutensian, and we from his into ours; (so one error begets another, by presuming too well of the care and faithfulness of such as went before) for the doctor tells us, Stephens governed himself by the best manuscripts; but then he says, "He always judged those to be best which agreed with the Complutensian." Else it would be very strange, that all Stephens's manuscripts should differ from all of them of Erasmus and Simon, and others, as they must, if only *ἐν τῷ ἔραυῳ* were wanting.

And whereas the doctor lays a stress on Stephens's saying "he departed not one letter from the best and most of his copies;"⁴ I would ask then, how he came to put in the *ἐν τῷ ἔραυῳ*, "in heaven," when every one of his seven manuscripts wanted them? 'Tis plain critics are not always to be trusted in what they say of their own fidelity; the doctor was right in inferring that it ought to have been as he said, but 'tis plain, in fact, it was not so.

Thus, having examined all his pretences to the Greek manuscripts, I think it fully appears there is not so much as one found to authorize this passage, nor one ancient version, made from the Greek; and for others, they are not of value in the case. Indeed the doctor has dealt more fairly than our common unaccurate commentators; who, without any examination, talk roundly of many, the most antient and the best copies, which have these words, not knowing what they say; whereas he pretends but to few, and rather supposes and hopes, from some hints in others, that they had such copies, than knows of any himself.

Let me close this head with the very pertinent remark of the most learned Phile-leutherus, part i. against the Discourse of Free-thinking: The present text was first settled almost 200 years ago, out of several manuscripts, by Robert Stephens, printer and bookseller at Paris; whose beautiful, and generally speaking (it seems, not in all points) accurate edition, has been ever since counted the standard, and followed by all the rest. Now this specific text in your doctor's (Whitby's) notion, seems taken for the sacred original in every word and syllable; and if the conceit is but spread and propagated, within a few years that printer's infallibility will be as zealously maintained as an evangelist's or apostle's.

Dr Mills, were he now alive, would confess that this text, fixed by a printer, is

¹ Crit. Hist. par. 2. c. 9.

² Regia bibliotheca suppeditavit, Proleg. p. 117.

³ Proleg. p. 117.

⁴ Ne in una litera discesserit à meliorum et plurium codicum suffragio.—*Orig. Notes.*

sometimes, by the various readings, rendered uncertain, nay, is proved certainly wrong; but that the real text lies not in any single manuscript or edition, but is dispersed in them all.

I now come to the second head of his arguments, viz. from ancient testimonies of the Latin writers, Tertullian and Cyprian.

As for Tertullian, in the words already set down, he had only said, speaking of the Father, Son, and Spirit, "these three are one;" and 'tis written, "the Father and I are one." But the former of these he says from himself, not as any part of scripture, as he says the next words are. And indeed he needed not have cited these latter words at all, if the former had been of the same authority; for they had been sufficient, whereas the latter words were not to his purpose for proving the Holy Spirit's unity, with the Father and Son. Only not having a text for the unity of all the three, he was willing to alledge these words for the two as a step to the other.

Nor can it be thought, but that in so voluminous a writer we must have had that text many times over, on several proper occasions, if he had known it as such. He repeats John x. 30. "I and the Father are one," very frequently, even five times in a few pages in his book *contra Praxeum*, and again *contra Hermog.* and *de Oratione*. Whereas this pretended text, so much more for his purpose, he omits; which could hardly have been, if he had taken it to be of as good authority as the other text. And therefore Dr Mills had reason to urge it but softly, saying Dr Bull and Dr Hammond *putant se alluisse*, suppose that he might allude to the words of St John; which is but a conjecture, instead of a proof.

So that St Cyprian is left alone to bear the weight of all. And indeed 'tis easy to see the doctor's chief confidence is in his testimony, (with a little help from Tertullian, whom he owns to be not so clear) insomuch that he says, "This is evidence enough of the words being authentic, though none of the Greek writers ever saw them, and though they never appeared in any copy to this day." It seems then 'tis to no purpose to withstand this evidence; or rather it seems, having nothing else to trust to, the doctor was resolved this must and shall do the business.

Cyprian's words are,¹ "Of the Father, Son, and Holy Spirit, it is written, these three are one;" (the other testimony, in *Epist. ad Jubaianum*, is but like Tertullian's supposed allusion to the text, and may have the same answer.) Upon these words the question is, whether Cyprian refers to the seventh verse in dispute, or to the eighth, by a mystical interpretation of the Water, the Blood, and the Spirit, as signifying the Father, the Son, and the Spirit? Father Simon² is out of doubt for this latter, and brings a strong proof of it from the words of Facundus, who was of the same African church, in the fifth century; and who not only himself so interprets words of the eighth verse, but expressly adds, that St Cyprian so understood them too, in this very place. Says he,³ "Of the Father, Son, and Holy Spirit, he (St John) says there are three that bear witness on earth, the Spirit, the Water, and the Blood; and these three are one: By the Spirit signifying the Father, by the Water the Holy Ghost, and by the Blood the Son. Which words of John the Apostle, St Cyprian the Martyr, in his Book of the Trinity, (Unity it should be, as Simon observes) conceives to be spoken of the Father, Son, and Holy Spirit." And though Dr Mills would make light of this testimony, 'tis without all reason, and from mere necessity; since this will overturn all he had to say from the Latin fathers.

What Facundus says is so far from being improbable, that the doctor himself owns

¹ De Unitate Ecclesiæ.

² Crit. Hist. c. 18.

³ De Patre, Filio, et Spiritu Sancto, dicit tres sunt qui testimonium dant in terra, Spiritus, Aqua, et Sanguis, et hi tres unum sunt; in Spiritu significans Patrem, in Aqua Spiritum Sanctum, in Sanguine verò Filium significans—Quod Joannis Apostoli Testimonium beatus Cyprianus in Epistola sive Libro quem de Trinitate (de Unitate rather) scripsit, de Patre, Filio, et Spiritu Sancto, dictum intelligit. *Facundus pro Defens. Tri.* Cap. l. 1. c. 3.

St Austin, who was of the same African church, did make the same interpretation afterwards; and after him Eucherius declares it was a common exposition of those words: And then why might it not be Cyprian's? Does not Facundus expressly say it? Does he tell an unlikely story? Why is it then *levis momenti*? Truly the doctor thinks none till St Austin made this mystical interpretation, and therefore not St Cyprian. But why might not Cyprian begin it as well as Austin? Facundus tells us he did interpret so, and it does not appear that he had any other such words to apply to the Trinity, but these. Is it not as good an argument against the doctor, to say that Cyprian did not cite the seventh verse in dispute, because that verse never appeared in any writer till the fifth century, as his is, viz. That Cyprian did not so interpret, because that interpretation appears not till the fifth century? Only I can prove my assertion by a proper positive testimony, that Cyprian did use this interpretation; whereas he had none to prove that St Cyprian met with a special copy of St John's Epistle, which had that verse.

'Tis true indeed, he alledges for the other side Fulgentius, contemporary with Facundus, saying, "St John testifies there are three which bear witness in Heaven, the Father, the Word, and Spirit; and these three are one:" Which also St Cyprian, in his Epistle of the Unity of the Church, confesses; alledging from the scriptures, that of the Father, Son, and Holy Spirit, 'tis written, "and three are one." But as Facundus is as good an evidence as he, and more particular, so even this does not contradict Facundus. For Fulgentius and he both say the same thing, viz. that Cyprian confessed St John's testimony of the "Father, Son, and Spirit, these three are one." Only Facundus tells us, that he took this testimony from the eighth verse, and Fulgentius does not say it was otherwise; and therefore there is no reason to oppose him to Facundus. Cyprian might own the same thing, as is now contained in the seventh verse, though he deduced it from the eighth: He that supposed the Spirit, the Water, and the Blood, in St John, to mean the Father, the Son, and the Spirit, as much confessed this doctrine, and from St John too, as if he had found the very words Father, Son, and Spirit, in the text. And this is all which Fulgentius himself says of him. Neither of them says that Cyprian found in St John, the Father, Son, and Spirit, besides the three Witnesses in the eighth verse. No, it was there he thought he might find the Father, Son, and Spirit, mystically represented. And I observe two things to confirm it.

1. Fulgentius speaks of it as a remarkable concession in St Cyprian, *Quod etiam B. Cyprianus confitetur*, which also St Cyprian confesses. Confesses what? That St John had those words, "the Father, Word, and Spirit, and these three are one?" Was that such an acknowledgment, if he found it in his epistle? No, but he acknowledged the Father, Son, and Spirit to be one, out of St John, by a mystical interpretation of the Spirit, the Water, and the Blood, which are one. This indeed was somewhat far-fetched, and not so clear a point, but Cyprian's confessing it might give it some credit; but it could give none to an undoubted text of St John, to say Cyprian acknowledged it to be true. I will not say the doctor had any design in it, but I find in reciting the words, he has happened to change the *confitetur* into the more convenient word, *contestatur*.

2. I observe Cyprian's words are not the exact words pretended to be found in St John: For Cyprian says, Father, Son, (not the Word) and Spirit. Now though the same person may be intended by both words, yet 'tis plain there could be but one of them in the text. And therefore, if our present printed text be right, Cyprian had no such copy, or else he did not keep strictly to it: And if he did not cite the words ex-

¹ *Fulg. cont. Arianos, sub finem.* Beatus Joannes testatur, dicens, Tres sunt qui testimonium perhibent in cœlo, Pater, Verbum, et Spiritus; et tres unum sunt. Quod etiam B. M. Cyprianus in Epistola de Unitate Ecclesiæ confitetur, dicens—de Patre, Filio, et Spiritu Sancto scriptum est, et tres unum sunt.

actly, only the sense of them as an interpreter, then in such a loose way of speaking it might well be, as Facundus says it was, viz. his sense of the eighth verse. So that the doctor was too forward in saying that Cyprian could not have cited the words of St John (as we have them) more exactly, if he had them before his eyes.

Let the interpretation be never so forced, that is nothing, so it was; and there are enough as strange interpretations of texts in the Fathers, and in St Cyprian himself, to satisfy us this is no good evidence it was not his." And why may not Cyprian father a weak interpretation as well as St Austin? Nor was it unusual with Cyprian to cite scripture more by his sense of it, than by the strict letter of the text. Thus, instead of "Lead us not into temptation," he cites it, "Suffer us not to be led," &c. Again, he cites, Rev. xix. 10. "Worship thou the Lord Jesus," instead of "Worship thou God." Will any say, upon this, that he found a particular copy which had these readings? No, surely; but rather that it was Cyprian's exposition of the true reading in all the copies. Even so I doubt not, his words, "the Father, the Son, and Spirit, these three are one," was his sense of the eighth verse of St John's fifth chapter.

I shall conclude this with Mr Du Pin's judgment upon the case:⁴ "'Tis not then," says he, "absolutely certain, that Cyprian hath quoted the seventh verse of St John's Epistle." And Father Simon's,⁵ who says 'tis out of doubt that he hath not. Though 'tis probable this mistake of Cyprian's words led some following African writers into the opinion that St John had said them expressly.

And thus I have fairly accounted for St Cyprian's words, without the supposition of his having a special copy to himself. And then I think there is not one tolerable pretence left of any ancient authority. Now it remains that we see how the doctor accounts for the difficulties that lie against him, from all the Greek copies and fathers before and after Cyprian, who knew nothing of this text: How then had Cyprian such a particular copy above all others? Does the doctor clear himself as fairly of this as we have of his objection from Cyprian's words?

He puts very proper queries here: If these words were in St John's original, how comes it to pass that, for three ages following, the Greek fathers had it not in their copies? How came Cyprian, an African, to know it, when it was unknown to Irenæus, who was a very curious enquirer into all learning, (which is Tertullian's character of him⁶) and who conversed with Polycarp, the disciple of St John himself? But in answer to these queries, he is forced to frame many unreasonable suppositions; he knows not which way it was, but he can imagine how possibly it might have been, and then seems to believe it was so. Let us hear his own account.

If we ask how came these words to be out of all the known Greek copies? he answers, By mere chance, and carelessness of the transcriber, who cast his eye upon the word μαρτυρεῖς, or Witness, in the eighth verse, instead of the same word in the seventh; and so went on, unawares omitting the one μαρτυρεῖς, or Witness, and all the words between them both. And then, by reason of persecution, Christians were in haste, and then stayed not to revise the transcript, nor to compare with one another's copies, which were but few, because of the pains and expences of transcribing: And the original being at a distance from them, when dispersed, they could not examine by that.

I grant, mistakes of this kind have happened to transcribers, where ὁμοιοτέλευτα, words of the same ending, or the same words, have often occurred: But that it was not so here is plain, because the transcriber had then taken the next words to the second μαρτυρεῖς, which are ἐν τῇ γῇ, "in earth;" whereas the doctor confesses these words were wanting also. This he was aware of, and therefore supposes once more, that the words

¹ See Dr Whitby's Dissert. de S. Script. Interpretat.

² Cypr. de Orat. Dom. c. 4.

³ Ibid. de

Rono Patientia, c. 15.

⁴ Hist. of the Canon, vol. ii. p. 78.

⁵ Crit. Hist. N. T. Part 1. c. 18.

⁶ Curiosissimus omnium doctrinarum explorator, Irenæus. *Tertul. cont. Valent.*—Orig. Notes.

"in earth" might be in the first transcript, but that the next time it was transcribed, or soon after, it was thought those words were superfluous, and so were left or dashed out; and then copies were taken by other churches, and so they spread abroad through Greece, Egypt, &c. And this is the reason that the ancient versions and writers knew nothing of this text, because there were none but these maimed copies among all the Greek churches.² But, in process of time, he thinks some correct copies which lay hid in Asia (where the original was) or some other parts, some way or other, got into Africa, which Tertullian and Cyprian saw: And the times being troublesome, few copies only were taken for the use of the African churches, where they seem to have continued; and about 100 years after they became common, else the African bishops would not have alledged these words in a confession of faith, if they had not been in their common copies, and in the body of St John's Epistle, more than one or two centuries. And about 250 years after Cyprian, the spurious author of the Disputation, falsely ascribed to Athanasius, perhaps might meet with a perfect Greek copy; and then all was set right. And so we have his answer to another question, viz. How the true copy at last came to light again?

I believe this account will satisfy very few: If any man should trace his pedigree after this manner, through such a train of wild suppositions, and improbable imaginations of this and the other bare possibility, I fear he would still pass for a spurious pretender. And yet all this the judicious Dr Mills could seem to believe, rather than this one supposition, which is also well attested, that St Cyprian's words were his interpretation of the eighth verse; for allow but this, and there was no need of racking his invention at this rate. And I'll appeal to men of candour, which of the two is more probable; that all these suppositions should happen, or that Facundus should say true; especially, when these few remarks on the doctor's imaginary account shall be duly considered.

1. Why should he suppose, they who were at the pains or expence, and had leisure of transcribing, would not be at a very little more, to review and examine their transcripts? which is so natural and usual, in matters of much less moment than what concerns the interests of another life, which to the primitive Christians were very dear. While they had the original in their hands, it was easy to be done. Surely they were not so careless as the doctor makes them to be: It appears what sense they had in the early times of the necessity of comparing such transcripts with the originals, by Irænaeus; to whose writings this solemn adjuration is annexed: *Adjuro te per Dominum Jesum, ut conferas postquam transcripseris*, &c. "I adjure thee who shalt transcribe this book, by the Lord Jesus Christ, and by his glorious appearance to judge the quick and the dead, that thou compare after thou hast transcribed, and amend it by the original very carefully." To which purpose St John's words, Rev. xxii. 18, 19, are probably to be understood, as a terror to all negligent and deceitful transcribers of his books.

But the doctor pretends the persecution of the Christians, and their not daring to assemble but in the night, might hinder them: So far were they from having leisure to review their books, that they could not assemble but before day.³ As if this hindered them from examining or comparing their copies at home. Must they needs do it in a publick assembly? Rather was it not much better to be done in private? Therefore the doctor has another imagination to help it out; and that is, that Christians were in such eager haste to catch the sacred copies, that they carried them off as they were.⁴ As if, after so much pains or expence for a copy, they would not take care to have it

¹ Curato hoc uno, ut verba ἐν τῇ γῇ tanquam superflua deleantur.

Nullum omnino codicem Ecclesiis Græcis in usu fuisse credo, nisi qui ad mutilatos, quos dicimus, descriptus sit.

³ Adeo non vacabant

recensioni librorum, ut ne quidem convenire iis licuerit nisi ante lucem.

⁴ Libri cum primum exarati,

avidissime a Christianis arrepti sint, et in varias regiones distracti.—Orig. Notes.

right. Besides, if the desire was so great, then we may conclude the transcripts were very many, of so short an Epistle. And since all the transcribers could not make the same mistake, nor many of them, I ask,

2. Why must only this one defective copy be carried away into remote countries, to become the fruitful parent of all the copies in the world that we can find; and all the others stay behind, or never be heard of more? Is this likely? Were not the possessors of the other copies (which he supposes there were) as much persecuted and scattered as the possessor of this one faulty copy? And if they brought away theirs, surely there would have been some more and better signs of them than what is pretended from Cyprian.

3. Had not the Christians of that time often heard St John's Epistle read to them, before they had it transcribed, as well as after? This was the constant practice of their assemblies, to read some part of the gospels and the apostles' writings, as Justin Martyr and Tertullian tell us in their Apologies; which the Apostle Paul expected, and sometimes required to be done, Col. iv. 16. 1 Thess. v. 27. Therefore, if there had been an omission in the transcript, would not some or other easily have missed so memorable a passage as this text contains? 'Tis so singular and remarkable, that the omission could scarcely be unobserved when they came to read it over again.

Why should he suppose again (to back his former hard supposition) that any Christians would so evilly treat the sacred Scriptures, as to strike out the words "in earth," for seeming to be superfluous? Had they so little reverence for these sacred records, as to dash out what they liked not? And yet with those words the sense and context are no way disturbed: There are a hundred texts which contain words more seemingly needless, and more hard to be accounted for, and which may as well be spared, if we make our own fancy the judge, as these words, which have, indeed, no difficulty at all in them; and yet I am well satisfied those Christians never would, nor did presume to dash them out of their copies, upon this slight pretence, that they were superfluous.

5. Doth Cyprian, after all, say one word of any such thing, as his having had a better copy than the rest of the churches had? Not a word; and yet one would think he should not wholly forbear taking some notice of so happy an event. Or do any after him say they found such a correct copy, or that ever they understood he had one? And what became of this valuable treasure, after it had got into these safe hands? For,

6. How came it that St Austin, so long after him, in a neighbouring church, knew nothing of this matter? And that, in his disputes with the Arians, none should let him know what might have been so serviceable to him? In such times of eager contests, it must have soon flown about into the neighbourhood, when adjacent bishops so frequently met and conferred; and the rather, because Cyprian, and others after him, must know that other copies were defective in this place, and therefore it concerned them to send intelligence to all round about them, how the true text stood: And yet the doctor grants that St Austin knew not of it. And therefore I think it very apparent there was no such thing as Cyprian's having such a copy, notwithstanding the doctor could say *certissimum est*, upon no manner of evidence but his using those expressions which are already otherwise accounted for; and of which Mr Du Pin says, "'tis not certain that St Cyprian quoted St John's words;" and F. Simon, that without doubt he did not.

By these things it appears, that Dr Mills not only could not give any true account how it really came to pass that all the Greek manuscripts and writers should be ignorant of this verse, and yet Cyprian recover it from the original; but that, setting his imagination to work, he could not so much as invent or contrive a way how it could possibly be done, with any tolerable shew of probability, or consistency of circumstances.

Since therefore he has made such a surprising conclusion in favour of this text, so unsuitable to his premises, and against all the rules of criticism, in preferring one copy to all the copies besides; one father to all the fathers: Nay rather, without one copy, rejecting all the manuscript copies; and setting one supposed, at best but dubious, testimony of one or two fathers, against all the certain evidences from all the copies and all the fathers for near five hundred years: I say, since 'tis thus, I cannot wonder at the remark made by the famous Le Clerc upon the doctor's great candour and justice in stating the evidence, and his strange caution in concluding against it, in the preface to Kuster's edition:¹ "If Dr Mills (says he in relation to this text) hath not concluded here like a judicious critick, yet certainly he hath shown himself to be a candid and ingenuous man, in producing the arguments which effectually overturn his own opinion: Nor would I impute this to his want of judgment, in not yielding to the force of such arguments, so much as to the prejudice of a sort of men, who are wont spitefully to reproach those who freely own the truth; as if they favoured I know not what heresies, merely because they will not argue against them from corrupted texts. Truly the best men are sometimes under a necessity of giving way to the froward, which we must forgive."

And yet, at the same time, I willingly consent, that his great learning, his indefatigable labour, his accurate judgment, and worthy design, in this noble undertaking, shall not fail to perpetuate his high esteem, and very honourable remembrance, to remotest ages. Nor indeed is his judgment given in this point but with the modesty of one ready, upon better information, to alter it, which he seems to suspect there might be ground for in the close of his dissertation.²

But whatever restraints Dr Mills, in his private capacity, might lie under, from declaring his mind more openly, they affect not your lordships and the reverend clergy in convocation; whom, with all the respect due to so venerable a body, and with the humility of a suppliant, I beseech to consider of this matter, as in the sight of God, whether here be not sufficient evidence that this text either certainly, or at least very probably, never was originally in the holy writings of St John, but unwarrantably thrust in in later times. And if so, whether from the conscientious regards you bear to the sacred Scriptures, they ought not to be purged of all such injurious additions. In order to which, permit me, I pray, without the least affectation of being your monitor, or the arrogance of an assuming director, humbly to bespeak your very serious thoughts upon these following considerations.

1. Whether such evidence, as is brought against this verse before us, would not be judged by you sufficient against any passage in any classick author whatever? Would not such a passage presently be pronounced spurious, and be brought under a *deleatur* by the unanimous voice of the criticks, when they had no concern in it but to judge what is true and genuine, and what not? Nay, would a court of judicature allow any paragraph to be good in a writing of consequence, for which no more, and against which so much, can be fairly said? And will not the same sincerity and impartiality well become us in this which we can not only well justify, but commend in the examination of other writings? Shall we press men to take that for evidence here, which will pass no where else?

¹ Si acutum Criticum hic se minime præstitit Millius, at certe ingenuum et candidum virum se ostendit, in proferendis rationibus, quibus sententia, quam ipse amplexus est, evertitur. Nec tam ejus judicio ascripserim, quod rationum pondere se permoveri non passus sit, quam *is* qui libere veritatem professos maligne infamare solent, quasi hæresibus nescio quibus faverent, quia nolunt eas depravatis locis oppugnari. Scilicet, optimi quique viri factiosis nonnihil concedere necesse sæpe habent, quod facile ignoscimus. *Clerici Epist. de Editione Milliana.*

² Meliora, si quid melius certiusque dederit longior dies, discere parato.—*Orig. Notes.*

2. Whether an awful regard to that dreadful anathema, or denunciation, left on record by St John, Rev. xxii. 18. against all who add to, or diminish from his writings, will permit you to be unconcerned in the matter before you? It cannot be supposed that those words should not, at least by parity of reason, concern his other writings, as well as the Revelation; especially when we remember how general the precept was, not to add nor to diminish, Deut. iv. 2. Prov. xxx. 6. The threatening is very severe: "God shall add to him the plagues that are written in this book," are words of so much terror, as will sufficiently justify your lordships and the reverend clergy's utmost caution to avoid them, whatever more careless people may think or say. Whether the keeping in an unjust addition to the word of God, when 'tis our part and in our power to rectify it, comes, or not, within the prohibition, none concerned can think below their sober consideration. It might, perhaps, come in with less guilt through ignorance, than it can be kept in when the fault is discovered.

The oracles of God are a sacred *depositum* lodged with the church; Rom. iii. 2. "To them are committed the oracles of God;" in this trust, surely, that they be kept inviolable, and be transmitted to posterity pure and clean from all known human additions, whose authority is so infinitely inferior to the words of God, that they ought not knowingly to be intermixed therewith, especially by those who are the stewards of the mysteries of God, and who expect that others should seek the law at their mouths; of whom it is required that they be found faithful.

Our twentieth article tells us, "The church is the witness and keeper of holy writ," and therefore must not bear either false or uncertain witness in so solemn a matter, as to say, that is holy writ which she has the greatest reason to judge is not such. 'Tis a dismal thing to have it said to your flocks, Thus saith the Lord, when the Lord hath not spoken it; and a hard task it is on him that reads this in the church for St John's words, who doth not believe it to be such.

3. Whether the honour and interest of our holy religion will not be better served by disowning ingenuously what we find to be an error, even though it have long passed current as truth? Weak people, I confess, may be apt to cry out of innovation (as upon all sorts of reformation,) that religion is subverted, that all is uncertain, &c. Archbishop Laud' once made this sad complaint: "When errors are grown by age and continuance to strength, they which speak for the truth, though it be far older, are ordinarily challenged for the bringers-in of new opinions; and there is no greater absurdity stirring this day in Christendom," &c. This indeed may grieve a good man; but must truth and piety therefore be sacrificed to the ignorance and perverseness of men? Must we then prophesy to them smooth things, only because they love to have it so; and not acquaint them with their errors, because they'll murmur against us? I remember St Paul once made some of his friends to become his enemies, by telling them the truth, Gal. iv. 16. God forbid that any of his successors should be so discouraged by it, as not to tell the truth, for fear of making men their enemies. If so, we should appear to take more care of ourselves than of the interests of Christ and his religion.

Pardon me, if I speak with humble freedom, what I think not of without real grief, that this false notion of peace has often well nigh ruined religion. Christianity had never come in, if our blessed Master had stifled the truth for fear of disquieting the family by "dividing the father against the son, and the mother against the daughter," Luke xii. 51, 52, 53. This political wisdom, which is first peaceable, and then, or never, is pure, is just the reverse of that wisdom from above, which is first pure. "If it be possible, we must live peaceably with all men," Rom. xii. 18.; but "we can do nothing against the truth," says the same apostle, 2 Cor. xiii. 8. *εἰ δυνατόν* must give place to *εἰ δυνατόν*.

For true religion is never more in credit than when her votaries, and especially her guides and teachers, who minister in her holy offices, deal sincerely and openly in things appertaining to God: "Not walking in craftiness, nor handling the word of God deceitfully, but by manifestation of the truth commending themselves to every man's conscience in the sight of God." Not by putting false colours upon what they know they cannot justify, or seeking to deceive men in sacred matters, which, being once discovered, weak minds are apt to think the worse of religion, for what is none of her fault, but is acted in a plain violation of her laws.

Nothing will tend more to harden unbelievers in their unjust suspicions and reproaches, than to see that no amendment can be obtained upon the most manifest discovery of an error; but that, right or wrong, their teachers and guides will continue with resolution, what they find came in by mistake. What will it avail for honest men to study and enquire after truth, when convincing men will not make them reform? As if reformation was such an unreasonable thing, that it were better to continue our faults, when they can't be forsaken with a general approbation.

In the case before you, 'tis too late to conceal the evidence against the text I have treated of: It has been long observed, oft objected, and much needs satisfaction. And if your lordships and the reverend clergy shall please to instruct us, by better evidence, that there is no wrong done to the text of St John; or, being convinced that there is, shall hereupon promote a just alteration of this in our printed books, according to all the Greek manuscripts, that so your people may see that, at least, you take it for doubtful; will not this upright method show to the world that you are fair and ingenuous beyond exception, and that you seek after truth in the love of it? This shall convince them that you are their faithful guides, which will enable you, in a very serious and not far distant hour, with St Paul, rich and happy in the inestimable treasures of a good conscience, to make that triumphant boast, 2 Cor. i. 12. "That with simplicity and Godly sincerity, and not with fleshly or worldly wisdom, by the grace of God, you have acted towards the world, and towards your flocks."

I think I may safely add, that what I propose will greatly silence the cavils of the anti-scripturists, when they object the different readings in the several copies of the New Testament. To which 'tis a very good answer, that these differences are only in circumstances, or in matters of very little consequence to religion; and which 'tis morally impossible should be otherwise in a book so oft transcribed, and in so long a tract of time. In other instances 'tis truly so; the differences are very small, as Dr Mills' collection of the various readings doth abundantly show. But would not this answer be somewhat clearer and stronger, if justice were done to the text in the point I have argued? I know not one instance which interferes with the abovesaid answer so much as this. How shall we say that this text is of small consequence in religion, which is so oft alledged, by preachers and writers, as of eminent force in proof of a fundamental article of Christianity? Is it not pity we should needlessly leave them such an unjust pretence? Were it not better to cut off all occasion, from them who seek occasion, to censure the Holy Scriptures, when we can so truly and justly do it? because there really is no difference in the Greek copies, but all of them agree in wanting this verse; so that the objection appears stronger than it is, or than it ought to appear.

4. Doth not the sixth article of our church exclude this verse from being a part of those Holy Scriptures which she receives? For it tells us, "that by the Scripture she understands those canonical books of the Old and New Testament, of whose authority never was any doubt in the church." Is not the case the same with any part of those books? And will any venture to say there never was, or that at present there is not, very great doubt of this verse in the church? Whereas, if there be any doubt for it, 'tis the utmost that can be made of Dr Mills' Dissertation.

5. Whether in our printed Bibles some words are not quite omitted, or by a smaller character visibly distinguished, as doubtful, for which there is far greater authority, than for these under consideration? Nay, this is done in this very Epistle of St John, chap. ii. ver. 23. Dr Mills has shown that those words, "He that acknowledges the Son, hath the Father also;" are in several valuable copies, and ancient versions, and in the fathers, even in St Cyprian too; and yet, not being in many other copies, the wisdom of the church hath marked them for dubious, to show how cautious she was there, not to put wrong or uncertain scripture upon her members. Yet here is a text in the same Epistle, which has not one quarter, nay, I think I may truly say, has not any of that authority for it; and which was once, in the same case, distinguished by smaller characters, as of less certain authority, from the beginning of the Reformation: And now the former caution is withdrawn, this is advanced into the rank of undoubted text, whereas the other is left as it was. Which, however, serves to show us what we may fairly expect in reason should be done, by such a text as has nothing, even of that lesser evidence, which hath not yet advanced the other into the undoubted text. If there had not been some more occasion for one than for the other, 'tis possible they had both remained in the same state. Therefore,

6. It may reasonably be enquired, if there be any more evidence for this text, since the first Reformation? The present current notions of the Trinity were received then as much as now, perhaps more; and yet as Luther would not put this into the text in any edition of his German Bible, nor durst Bullinger take it in, so our old Bibles in Henry VIII.'s and Edward VI.'s time, had these words of the seventh verse, and the words "in earth," in the eighth, in small letters, and sometimes in a parenthesis, to show they were not to be esteemed of the same certain authority with the other parts of the Epistle, because the manuscripts wanted them. In Queen Elizabeth's Bible, 1566, I find the same; and other later Bibles were the first which took them in, as they now are, between 1566, and 1580; but whether by the influence of the convocation which intervened, I know not. And if it was a dubious text then, some may ask what further evidence arises since, to have caused this change? Has any ancient valuable Greek manuscript newly appeared? Yes; the most valuable of all, the Alexandrian manuscript, has since that time been brought among us; but alas! this has added great weight to the evidence against it. Besides, Erasmus's British copy, and the Complutensian Testament, and the mistake about Stephen's seven manuscripts, were not understood to be so void of all weight, as now they appear to be. If the first reformers then had as much evidence for it, and thought they had more than we can now think we have, and not so much to say against it as we; and yet they judged it but just to leave it doubtful; how is it that we shall justify their successors, who have ventured upon what they dared not to do?

Nay, if your lordships and the reverend clergy don't think this text to be certainly spurious, I would humbly propose, whether it be not most likely to be so? And then, whether it be not safer to put it out, than to keep it in the place 'tis in? Nay, whether it be not at least dubious? And then, whether it ought not to be marked as such, for your people's observation? I beseech you, let us but obtain so much, as I think yourselves will, and as the first reformers did see to be just and reasonable, or convince us that this request is not so: else what remains, but to sit down, wonder, and despair? 'Tis but an easy step, and will be well warranted, to return to that which our first reformers wisely and unblameably did. It can be no reproach to be as just to the people as they were; and to return again with reason, to that which has been altered without reason.

7. Lastly, the great importance of the subject matter of this much-doubted text, well deserves your most impartial judgment upon it. The doctrine of the Blessed Trinity is purely dependent on revelation; variously understood by Christians, both

of the clergy and laity; and bound upon the members of the church by very direful anathemas, scarce any more terrible, except that of St John against such as shall add to, or take from his writings. Now, since 'tis to the Scriptures you make appeal for proof of this doctrine, and for the right understanding of it, 'tis most just that in so solemn a matter you warn your flocks not to be misled, by mistaking an unwarranted modern addition for an inspired oracle.

I pretend not to make any interpretation of the words, till their authority be proved; but most judicious expositors understand "these three are one," of an "unity of consent," or in witness-bearing; as Bullinger, Calvin, Beza, and many other both protestant and popish writers.

But let them signify much or little, in the controversy about the philosophical nature of the three Persons, yet, as they are always likely to be drawn into the service of what is most prevalent and current, so 'tis certain the common people have their eyes upon this, more than on any undoubted text in the Bible, in this controversy. And so far they must be deceived, if it be spurious. And it is in your lordships' and the clergy's power to let them know it, and to refer them to other texts, which you can assure them are genuine.

Nor is there any doubt to be made, but the people think some branches of the liturgy have their main foundation on this one doubted text. When they hear, "Three Persons and one God," in the fourth petition of the Litany, and "who with Thee and the Holy Ghost ever liveth and reigneth one God," in the doxologies; they think nothing in the New Testament so like it as this dubious text. And will you not think it great pity, that your people should build so weighty things on such a slender foundation, if yourselves so judge it?

I speak this, because I know not any other text that directly or clearly says the same thing, viz. that the "Father, Word, and Spirit, are one." They are not joined into one doxology, nor indeed do I find any given to the Holy Spirit in the New Testament, either jointly or separately; much less is the Spirit said to be "one with the Father and the Son." I read of "one Spirit, one Lord, one God and Father," Eph. iv. but not that these "Three are the one God." And if there be no other text which says this, 'tis not the more likely to have been St John's saying here; but the more grievous to have it inserted by any who had not his authority.

Whether, upon the whole, this passage shall, by your direction, in our printed books be fairly disowned and marked as formerly, or better vindicated, I know not: But if neither of these be done, and if preachers and writers go on, without due regard to justice and their own esteem, to urge this as an authority, after all that is said to show it has none; I apprehend, there are many understanding Christians will be apt to think they are not fairly dealt with.

And I hope it shall not be thought to proceed from any want of due veneration for your lordships and the reverend clergy, if an high esteem of the learning, the judgement, integrity, and hearty zeal for our holy religion and the sacred Scriptures, which they are persuaded dwell with an English convocation, shall excite many of your people, as well as of the clergy, to some expectations in this matter.

I shall only set down the advice and request of Bugenhagenius, a Lutheran divine: Having observed this verse to be put in, without any reasonable pretence of authority, and having exclaimed against it as an impious bold addition to the sacred Scripture, and what (he says) establishes the Arians' blasphemy, and therefore suspected was their contrivance; he concludes,* "I beseech the printers, and such learned men as are aiding to them, that when at any time hereafter they shall reprint the Greek Testament,

* Obsecro igitur Chalcographos et Eruditos Viros qui Chalcographis adsunt, ut cum rursum posthac N. Test. græcè excudendum est, illam additionem omittant, et ita restituant græca suæ priori integritati et puritati, propter veritatem. ad gloriam dei. *In Exposit. Jonæ.—Orig. Note.*

they leave out that addition, and so restore the Greek to its former purity, for the love of truth, and the glory of God."

With which request, I humbly hope your lordships and the reverend clergy will see great reason to comply; and the rather, because I am instructed by a very great prelate' (who was once the head of such a convocation, and very tender of the church's honour) that the church is not so bound up, that she may not, on just and farther evidence, revise what may in any case have slipt by her. Whether this be not one of those cases, is submitted to your impartial and discerning judgment.

Priestcraft in Perfection: Or, a Detection of the Fraud of inserting and continuing this Clause (The Church hath Power to decree Rites and Ceremonies, and Authority in Controversies of Faith) in the Twentieth Article of the Articles of the Church of England.

To forge an article of religion, either in whole or in part, and then thrust it upon the church, is a most heinous crime, far worse than forging of a deed. *Archbishop Laud's Speech in the Star-chamber. Remains*, vol. 2. page 82.

Maximè habenda sunt pro suspectis, quæ quomodocunque dependent à Religione. Baconis Nov. Org. Lib. 2. Aph. 29.

This Tract was written by Anthony Collins, the celebrated free-thinker. The author was a gentleman of fortune, and learning, and a metaphysical enquirer. The latter researches unfortunately led to his speculative errors. He was born in 1676, and died in 1729. Collins was an avowed enemy to ecclesiastical power, or, as he termed it, ecclesiastical usurpation.

The authority of this clause, to which he here objects, had been called in question, in a book intitled, *The Peril of being zealously Affected, but not well; or Reflections on Dr Sacheverel's Sermons preached at St Paul's, Nov. 5, 1609.*—And it being now again professedly attacked by Mr Collins, several pamphlets, sermons, and books were published upon the subject. Among which, the most remarkable were the two following: 1. *A Vindication of the Church of England from the Aspersions of a late Libel, intitled, Priestcraft in Perfection: wherein the controverted Clause of the Church's Power in the 20th Article is shewn to be of equal Authority with all the Rest of the Articles, and the Fraud and Forgery charged upon the Clergy, upon the Account of that Clause, is retorted upon the Accusers. With a Preface, containing some Remarks upon the Reflections on that Pamphlet. By a Priest of the Church of England, London, 1710. in 8vo.* 2. *An Essay on the XXXIX Articles of Religion, agreed on in 1562, and revised in 1571, &c. By Thomas Bennet, D. D. In answer to these two Books, Mr Collins published his Historical and Critical Essay on the XXXIX Articles.*

Collins followed up his attack upon ecclesiastical prerogative by a tract, to which he gave his name. It is entitled, *Reflections on a late Pamphlet, entitled, Priestcraft in Perfection.* See vol. IX. p. 590.

▪ Abp. Laud's Preface against Fisher.—*Orig. Note.*

The Preface.

THE authority of the church in controversies of faith, is the grand, if not the sole topick, whereby the papists have seduced many protestants of the church of England into their communion; while they have been able to make few or no converts among our dissenters, who universally disclaim that authority. And I must needs say, that I am so far from being surprised at it, that I think it argues either great want of dexterity in the popish priests, or great negligence and indifferency among us in matters of religion, that they have not more success with those who believe the church has authority in controversies of faith; for if by the authority of the church in controversies of faith, be understood (according to ¹ Bishop Sparrow, the editor of our articles and canons, and all other high churchmen) a power in the governors of the church to determine what shall be received and professed for truth among the members of the church, and bind them to submission to their sentence, though they err in their sentence; we of the church of England could have no pretence to separate from the church of Rome in Queen Elizabeth's time, nor to continue in that separation to this day. For we being only a small branch of the Roman church before the Reformation, ought by that principle to have been concluded by the majority of the governors of that church; and consequently ought to have continued papists in profession, till the majority of those governors had determined for a reformation. But we were so far from proceeding on any such principle, that the Reformation was carried on here in England, not only in opposition to the governors of the Roman church in general, but even in opposition to the governors of our own church: For in the ² 1st of Queen Elizabeth, the parliament alone established the queen's supremacy, and the Common-Prayer-Book, in spite of all opposition from the bishops in the House of Lords; and the convocation then sitting, were so far from having any hand in those church-acts for reformation, that they presented to the parliament several propositions in behalf of the tenets of popery, directly contrary to the proceedings of the parliament. And as for the articles of our church, they could never have been agreed to by the convocation of 1562, had not the bishops been first deprived by law for their popery, and their sees filled with protestant bishops.

I have therefore been amazed how it was possible for our reformers to have asserted, that the church had authority in controversies of faith, so contrary to the principle on which they proceeded; or that they would ever suppose an authority in bishops (against which they then acted) to bring back all the absurdities of popery, of which this is the chief, as well as the foundation of all that monstrous superstructure; and which can never be demolished by reason and argument, till this supposed authority be entirely taken away.

But upon examination into the truth of this matter, I find they were honester and more rational men than they stand represented. They thought there was no reforming without mending; and therefore they as much abhorred the doctrine of the authority of the church, as any other absurdities of popery, as appears by the books written by them: And as for the clause in our articles that asserts it, I shall prove beyond all contradiction, that it was not of their composing, but a forgery inserted into our articles, which by time got strength among us, like some other things, without any just foundation: Such as the use of organs in churches, said to be superstitious ³ by our Ho-

¹ See his Preface to his Collection of Canons, Articles, &c.

² 1588, 1559.—*Orig. Notes.*

³ The Homilies introduce a woman saying to her neighbour: "Alas, gossip, what shall we do at church, since all the saints are taken away; since all the goodly sights we were wont to have seen are gone; since we cannot hear the like piping, chaunting, and playing upon the organs that we could before?" And in answer to the old

milies; cuts in the Common-Prayer-Book,' and pictures in churches, forbid by Queen Elizabeth; placing the communion-table altar-wise, when the sacrament is administered, contrary to the express direction of our rubrick, which says, the table at the communion time shall stand where morning and evening prayer is appointed to be said; bowing towards the east, and placing candles (unlighted) on the communion table; which since they are no where enjoined by our Common-Prayer-Book, are therefore forbidden by the act ² of uniformity made after the Restoration.

And I am persuaded, that there cannot be a nobler service to our most excellent and pure church, (at the same time that our legislature are clearing her from maintaining the most absurd and blasphemous doctrine of passive obedience,) nor greater honour done to the memory of our glorious reformers, than to wipe off the scandal of this po-

woman, the Homily replies: "But (dearly beloved) we ought greatly to rejoice, and give God thanks, that our churches are delivered out of all those things which displeased God so sore, and filthily defiled his holy house, and his place of prayer, for the which he hath justly destroyed many nations. And this we ought greatly to praise God for, that such superstitious and idolatrous manners as were utterly naught, and defaced God's glory, are utterly abolished, as they most justly deserved." *Homilies*, printed at Oxford in folio, p. 221.

¹ Dr Nowel, Dean of St Paul's, having gotten several fine cuts and pictures, representing the stories and passions of the saints and martyrs, caused them to be bound up in a Common-Prayer-Book, and laid it for the queen's use in the place where she commonly sat; intending it for a New-year's gift to her majesty, and thinking to have pleased her fancy therewith. But it had not that effect, but the contrary: For she considered how this varied from her late open injunctions and proclamations against the superstitious use of images in churches, and taking away all such relics of popery. When she came to her place (at St Paul's) she opened the book and perused it, and saw the pictures, but frowned and blushed, and then shut it; and calling the verger, bad him bring her the old book, wherein she was formerly wont to read. After sermon, instead of taking horse, &c. immediately she went to the vestry, and applied herself to the dean thus:

Q. Mr Dean, how came it to pass that a new service-book was placed on my cushion?

D. May it please your majesty, I caused it to be placed there.

Q. Wherefore did you so?

D. To present your majesty with a New-year's-gift.

Q. You could never present me with a worse.

D. Why so, madam?

Q. You know I have an aversion to idolatry, to images, and pictures of this kind.

D. Wherein is the idolatry, may it please your majesty?

Q. In the cuts resembling angels and saints; nay, grosser absurdities, pictures resembling the blessed Trinity.

D. I meant no harm; nor did I think it would offend your majesty, when I intended it for a New-year's-gift.

Q. You must needs be ignorant then. Have you forgot our proclamation against images, pictures, and Romish relics in the churches? Was it not read in your deanery?

D. It was read. But, be your majesty assured, I meant no harm when I caused the cuts to be bound with the service-book.

Q. You must needs be very ignorant to do this after our prohibition of them.

D. It being my ignorance, your majesty may the better pardon me.

Q. I am sorry for it; yet glad to hear it was your ignorance, rather than your opinion.

D. Be your majesty assured, it was my ignorance.

Q. If so, Mr Dean, God grant you his spirit, and more wisdom for the future.

D. Amen, I pray God.

Q. I pray, Mr Dean, how came you by these pictures? Who engraved them?

D. I know not who engraved them. I bought them.

Q. From whom bought you them?

D. From a German.

Q. It is well it was from a stranger; had it been any of our subjects, we should have questioned the matter. Pray let no more of these mistakes, or of this kind, be committed within the churches of this realm for the future.

D. There shall not.

This matter occasioned all the clergy in and about London, and the churchwardens of each parish, to search the churches and chapels; and caused them to wash out of the walls all paintings that seemed Romish and idolatrous, and in lieu thereof suitable texts taken out of the Holy Scriptures to be written. *Strype's Annals of Q. Eliz.* pag. 238, 239.

² Which says, That no rites or ceremonies shall be openly used in any church or chapel, or other publick place of worship, or in any college or hall in either of the universities, the colleges of Westminster, Winchester, or Eaton, or any of them, other than what is prescribed and appointed to be used in and by the Common-Prayer-Book, &c.—*Orig. Notes.*

pish clause both from her and them, among those who take it to be a part of her articles. I say, among those who take it to be a part of her articles; because we are really thought to be protestants abroad, though some of us desire to appear like papists at home. For in the collections of the several articles of religion of the reformed churches, printed abroad under the title of the Harmony of Confessions, our 20th article stands without the addition of the clause for the church's power, as Dr Helin assures us in his History of the Presbyterians, p. 268. And I hope there needs no apology for recommending our church to those who pretend to be her friends, by freeing her from this clause, and thereby rendering her truly (what a reverend dean of our church called her, just after the Restoration, while he was sweeping up a large fine) the best constituted church in the whole world.

London, Jan. 1st, 1709.

Priestcraft in Perfection.

The articles of the church of England were agreed to and subscribed by the archbishops and bishops of both provinces, and the whole clergy, in a convocation, held at London, in the year of our Lord 1562, and the 5th of Queen Elizabeth. They were afterwards reviewed by another convocation of the province of Canterbury, held at London in the year 1571, and in the beginning of that year (which was the 13th of the queen) they were ratified in parliament, under the title of 'Articles of Religion, which only concern the Confession of the true Christian Faith and the Doctrine of the Sacraments, comprised in a Book imprinted, intitled, Articles whereupon it was agreed by the Archbishops and Bishops of both Provinces, and the whole Clergy, in the Convocation holden at London in the Year of our Lord 1562, according to the Computation of the Church of England, for the avoiding of the Diversity of Opinions, and for the establishing of Consent touching true Religion, put forth by the Queen's Authority. From which act arises their legal authority, as my Lord of Sarum * truly observes.

These being the authorities upon which the articles of our church stand, we have no other way of knowing what and how many these articles are, but from the records of the proceedings of the before-mentioned convocations, and from the imprinted book referred to in the act of parliament. And if we are to be governed by these, it will be evident that the first clause of the 20th article, viz.—“The church hath a power to decree rites and ceremonies, and authority in controversies of faith,” printed in all our modern editions of the articles since the year 1617, is a perfect forgery, and never passed either the convocation of 1562, or the convocation of 1571, nor was it contained in the imprinted book that was ratified by parliament.

For, 1st, We have the original manuscript of the articles which passed the convocation of 1562, of which my Lord of Sarum gives the following account:³ “That this manuscript is without doubt an original; that the hands of the subscribers are well known; that it belonged to Abp. Parker, (who was president of that assembly) and that it was left by him to Corpus Christi College, in Cambridge, and is signed with a particular care; for at the end of it there is not only a sum of the number of pages, but of the lines in every page. And though this was the work of the province of Canterbury, yet the Archbishop of York, with the bishops of Durham and Chester, subscribed it likewise; and it is also subscribed by the whole Lower House.”

And, 2dly, we have an original manuscript of the articles, that were reviewed in the convocation of 1571, left to the same college by Abp. Parker, (who was president likewise of that convocation,) but that is only subscribed by the archbishop, and ten bishops

* Cap. 12.

² Expos. of the 39 Art. p. 8.

³ Ib. p. 26.—Orig. Notes.

of his province;¹ whereas those of 1562, are subscribed by both houses of the province of Canterbury, and some bishops of the province of York.

Now that the clause of the church's power is not in the beginning of the 20th article of either of these manuscripts, appears from several collations that have lately been made of our printed modern editions with them. The reader may satisfy himself about the truth of this matter from my Lord of Sarum's Exposition only;² where Dr Moss, Mr Jaggard, and Mr Lunn, fellows of the college, testify that the clause is not in the manuscript of 1562,³ and where Dr Green, the present master of the college, certifies the bishop that it is wanting in that of 1571.

3dly, As to the imprinted Book of Articles that was ratified by parliament, either it was never tacked to the original record of the act, or else it has been purloined from it: For upon examination in the office where the records are kept, the imprinted book⁴ referred to in the act of parliament is not to be found. Yet Providence has preserved to us the most compleat evidence in the world (next to the appearance of the imprinted book itself tacked to the record) that the clause of the church's power was not in the imprinted book ratified by parliament; and that is, notoriety of fact, even among the clergy themselves. For,

1.⁵ When the famous Burton affirmed, in an Epistle to the Temporal Lords, "That the prelates had forged a new article of religion brought from Rome, (viz. The church hath a power to decree rites and ceremonies, and authority in controversies of faith) which gives them full power to alter the doctrine and discipline of our church at a blow, and have foisted it into the beginning of the twentieth article of our church; for," says he, "it is not to be found in the articles of Queen Elizabeth, ratified by parliament." Archbishop Laud, (who, in his Speech in the Star-chamber, endeavours to vindicate the authority of this clause against this passage of Burton) does not deny what Burton alledges, "That it is not to be found in the articles ratified by parliament;" but only labours to prove, first, That he himself did not forge the clause, (from which charge I allow he effectually clears himself,) and, secondly, argues for the authority of the clause from several ancient printed copies, and from the publick records kept in his office. And it cannot be doubted but his zeal for that clause would have led him to affirm it was ratified by parliament, had not the matter of fact been very notorious.

2. Dr Thomas Fuller, a reverend divine of the Church of England, in his Church History of Great Britain, says,⁶ "That the clause of the church's power is omitted in the English and Latin articles set forth in 1571, when they were first ratified by act:" And then proceeds to make this just observation upon the authority of the whole body of the articles, as they stood without this clause; "That their being obligatory to punishment bears not date from their⁷ composition in convocation in the year 1562, but henceforward from their confirmation in parliament."

3. Dr Heylin, Archbishop Laud's chaplain, in his animadversions on this passage of Fuller, confirms Fuller's account of the matter, and only censures him, first, for making the articles obligatory but from the time of their being confirmed by parliament; and secondly, for using the term confirmation with relation to the act wherein the articles received their legal authority. His words are:⁸ "Our author does so dream of the power of parliaments in matters of religion, that he will not suffer any act of convocation to be obligatory to the subject, till confirmed by parliament. But I would fain know of him where he finds any act of parliament that confirm these articles.

¹ Expos. of the 39 Art. p. 26.

² Ib. p. 10.

³ P. 13.

⁴ Q. Where to find the articles by law established, since the imprinted Book past by parliament, that contained them, is not upon record?

⁵ Laud's Speech in the Star-chamber: in his Remains, vol. 2 p. 86.

⁶ Cent. 16. p. 74.

⁷ Fuller, though he thought the clause not obligatory, was misled so far by Bishop Laud's Speech in the Star-chamber, as to imagine it was extant in the records of the convocation of 1562.

⁸ Heylin's Animad. on Fuller's Church Hist. p. 146, 147.—*Orig. Notes.*

There was nothing done by the parliament to confirm these articles, but only a pious care expressed for reformation, by requiring subscriptions of the clergy to them, under temporal punishments." And then concludes, "That Fuller might very well have spared this flourish, 'That the obligatoriness of these articles, as to temporal punishment, bears not date nine years before from their composition in convocation, but henceforward from their confirmation in parliament.'" And I think it can't be doubted, but Heylin had zeal enough for the authority of this clause, and against his adversary Fuller, to have affirmed, "That it was not omitted in the imprinted book, to which the parliament required the subscriptions of the clergy;" had not Fuller's assertion, "That it was omitted," been undoubtedly true.

Bishop Pearson says,² "In the year 1571, the articles were reprinted, and then the act of parliament was published;" which words do imply his opinion, that the book passed by parliament was printed in 1571. But, however, for a fuller confirmation of the matter, take this farther explanation. He says,³ "That the articles of religion to which King Charles 1st's declaration are affixed, are the same with the articles mentioned in the 13th of Elizabeth,⁴ in number, nature, substance, and words; as he is assured, having himself diligently collated them with an edition of the articles, printed by R. Jugg and J. Cawood, printers to the queen's majesty, *anno domini* 1571." These last words evidently show Bishop Pearson's opinion, "That the imprinted book ratified by parliament, was a book printed 1571, by Jugg and Cawood." And if that was the book ratified by parliament, nothing can be plainer than that the clause of the church's power was not ratified in parliament. I have that very edition without the clause; but the reader may perhaps be satisfied in this matter by either Fuller,⁵ or Laud,⁶ or Heylin,⁷ or my Lord of Sarum,⁸ who all affirm that "the clause of the church's power was left out in the editions of 1571."

There is one thing in this last citation out of Bishop Pearson would have amazed me, had not a little enquiry into ecclesiastical history convinced me that nothing was more reconcileable in practice than writing expositions on the creed, and downright forgery and falsification. For notwithstanding Bishop Pearson affirms that the articles printed with King Charles 1st's declaration before them are the same in nature, substance and words, with those printed by Jugg and Cawood in 1571, and that he himself collated them: Yet there is material difference between those two editions; the articles printed with Charles the First's declaration have the clause of the church's power in them, and the articles printed by Jugg and Cawood in 1571, are without the clause; and I am ready to produce both these editions for the satisfaction of any enquirer.

5. The several printed editions of the articles in the reign of Queen Elizabeth are another evidence how notorious it was that the clause of the church's power was never ratified by parliament. I have, as I said before, an edition of the articles in English in the year 1571, by Richard Jugg and John Cawood, printers to the queen, when they were first ratified by parliament, wherein the clause of the church's power is omitted. I have likewise another edition, printed the same year in Latin by John Day, without

¹ The convocation of 1562 disclaimed all right to a legislative power in matters of religion, so much insisted on of late by high-church priests; and had very different notions of their own and of the parliament's power, from this reverend high churchman: For at the end of the original manuscript of the articles, immediately after the subscribers names, are added these words: "Ista subscriptio facta est ab omnibus sub hac protestatione, quod nihil statuunt in præjudicium cujusquam senatusconsulti; sed tantum supplicem libellum, petitiones suas continentem, humiliter offerunt." In English thus: This subscription is made by all with this protestation, That they resolve on nothing in prejudice of the privileges and rights of either house of parliament; but only humbly offer this supplicatory book of articles, containing their requests or petitions.

² Bibl. Scrip. Eccl. Ang. p. 362.

³ P. 583.

⁴ C. 12.

⁵ Church Hist. cent. 16, p. 74.

⁶ Remains, vol. 2, p. 83.

⁷ History of the Presbyt. 268.

⁸ Expos. p. 16.—*Orig. Notes.*

the clause. And yet Bishop ¹ Sparrow has the assurance to pretend to give us a Latin copy of the articles, under the title of Articles, &c. printed by John Day in 1571, wherein he has inserted the clause of the church's power, contrary to John Day's own edition. But what surprised me extremely, was to find a Latin copy of our articles under the same title, with the clause likewise inserted, printed before my Lord of Sarum's Exposition of the thirty-nine articles; which I did not expect to find in a book written by one that has showed so much ingenuity as my Lord of Sarum has done in this affair: For it is from the discoveries made by him of old manuscripts, that I had the first hint of the forgery of this clause.

However, I think I have just grounds to clear my lord himself from any design to impose on the reader; but may rather suppose in his behalf, that when he sent his Exposition of the thirty-nine Articles to be printed, he trusted to some chaplain or corrector of the press to put a Latin edition of the articles before his book, who thus imposed on his lordship and the world. And my reason for not making this an act of his lordship, is, because his lordship knew, ² that the clause of the church's power was left out of the printed editions of 1571.

The omission of this clause in the year 1571 was so notorious, that Archbishop Laud confesses it, and gives reasons why it was so. Says he, ³ "In fact this is manifest, that in the year 1571 the articles were printed both in Latin and English, and this clause for the church left out of both. And certainly," says he, "this could not be done but by the malicious cunning of that opposite faction. And I shall spare dead men's names where I have no certainty; yet if you please to consider who they were that governed businesses in 1571, and rid the church almost at their pleasure, you will think it no hard matter to have the articles printed, and this clause left out." This the reader must needs think a most choice remark, when he considers that the convocation of 1571 passed the articles without this clause, as well as the parliament; and consequently that they who rid the church at that time, were the governors thereof, in the archbishop's own sense of the word. By whom would he have the church rid, but by its governors? And if he would have it rid by them, why should he not suppose these governors had as much right to omit the clause of the church's power if they thought fit, as any other governors had to insert it in the articles? But I find no proceedings of church-governors will satisfy the greatest advocates of their power, unless they be perfectly agreeable to their inclinations, any more than they do the errantest fanaticks in the world. And this observation is not only verified by this remark of Archbishop Laud, but by the proceedings of the high-church priests at this day, who, at the same time that they preach up the greatest submission in the world to the governors of the church, and make them all to be *jure divino*, are continually affronting and abusing them in the most scandalous manner: Whereby they become so much worse than the fanaticks of old, in that they are inconsistent with themselves; whereas the fanaticks denied that they owed the bishops any subjection.

But to return: The articles were not only printed without the clause of the church's power in the year 1571, but continued to be printed so for some time after. A friend at Oxford writes me word, "That there is a Latin copy of the articles in the Bodleian Library, printed 1575, in which the clause of the church's power is omitted." How long it was after 1571 before the clause was put into the printed copies, my Lord of ⁴ Sarum says he cannot find out. But if Archbishop Laud ⁵ gives us a complete list of the printed editions of the articles, it was not inserted in the articles till 1593. And if Dr Heylin's word is to be taken, he confirms the omission of this clause till that year. He says, ⁶ "The clause of the church's power was left out in the new impression of 1571,

¹ Collection of Artic. printed 1671. p. 207.
Rem. vol. 2. p. 83.
p. 268.—Orig. Notes.

⁴ Expos. p. 16.

² Expos. p. 16.

⁵ Speech, p. 83.

³ Speech in the Star-Chamber,

⁶ Hist of the Presbyt.

and was accordingly left out in all the harmonies of confession, or collections of the same. And so it stood in England till the death of Leicester, after which, in the year 1593, it was again reprinted." So that, according to the confession even of Laud and Heylin, the clause was left out in the printed copies, not only in the year wherein the articles were ratified by law, but for two-and-twenty years afterwards: And this, I suppose, will be allowed by all impartial judges to be a good evidence of the notoriety of the fact. That the clause of the church's power was not in the imprinted book ratified by parliament.

But 6, and lastly: To put the matter upon such an issue as may clearly demonstrate that the imprinted book ratified by parliament was without the clause; I desire those who defend its authority to produce any one English edition of the articles (for it was an English one that was ratified by parliament) printed in or before the year 1571, when the articles were confirmed by law, that contains the clause of the church's power in it. And if this cannot be done, it is a demonstration that the parliament passed the articles without the clause, unless they could pass a printed book before it was printed; though did such an English book appear, it would be no proof at all that the imprinted book ratified by parliament had the clause in: For I have proved, by sufficient evidence, that they passed an imprinted book without the clause.

Having thus stated the evidence against the authority of the clause, I come now to consider what has been urged in its behalf.

And, first, Archbishop Laud says,¹ "The articles were printed in Latin in 1563, (the year after they passed in convocation) with the affirmative clause of the church's power in them." And my Lord of Sarum² speaks of one copy printed in that year: But Dr Heylin goes farther, and says,³ "That the clause of the church's power was printed as a part of the twentieth article, both in Latin and English, 1562." (I suppose it should be 1563.)

Of the insertion of this clause in the printed edition of 1563, contrary to the original manuscript of the articles subscribed by the convocation in 1562, my Lord of Sarum makes the following use: Says he,⁴ "The alterations from the original manuscript were then made when the thing was fresh and well known; therefore no fraud nor artifice is to be suspected, since some objections would have been then made, especially by the great party of the complying papists, who then continued in the church: They would not have failed to have made use of this, and to have taken great advantages from it, if there had been any occasion or colour for it; and yet nothing of this kind was done."

1. In answer to which, I beseech his lordship to consider what greater evidence there can be of a fraud, than the printed articles of 1563, contradicting the original manuscript subscribed by both houses of convocation the year before? Especially when a subsequent convocation, in 1571, thought fit to review the articles, and ratify them without the clause of the church's power. This last act of convocation ought to be looked on as decisive of the fraud, since they proceeded so contrary to the printed edition 1563.

2. As to my Lord of Sarum's reason why "no fraud is to be suspected," viz. "Because the complying papists made no complaint;" I can see no force at all in it, because the complying papists were so far from having any cause to complain of the addition of that clause, that they must be pleased to see our church make so great a step, so early after the reformation, towards them, and vest such a power in the church as they always contended for. And perhaps these complying papists had as great a hand in the forgery, as I shall prove their successors, the complying high-churchmen, have had in endeavouring to perpetuate it to posterity.

¹ Speech, p. 83.

² Exp. p. 16.

³ Hist. of the Presbyt. p. 268.

⁴ Exp. p. 16.—*Orig. Notes.*

3. But my lord imagines, "That such an alteration could not be made while the thing was fresh and well known:" Whereas I think the experience of all ages shows how easy impositions of this kind are; and I dare say, my Lord of Sarum, out of his vast reading, is able to give us a history of impositions of that kind, as big as his History of the Reformation.

(1.) The stupidity of mankind, even in the times of the greatest liberty and freedom of thinking, was always security enough for some impositions. For who, at this day, among the laity, dare give themselves the trouble to examine into the authority of the articles of any church (when meddling with such sacred things always exposes a man to the imputation of atheism) or are able to tell what the articles of their own church are? The Laity are ever ready to fight the priests battles, and contend eagerly for what they determine in their synods and convocations, without ever troubling themselves to understand what they fight and contend for. But in Queen Elizabeth's time the state of affairs was very different from what it is at this time. There was not only less freedom of thinking, but a most excessive ignorance was spread throughout the nation. Mr Strype says in his Annals, page 291, "That many of the subscribers of the lower house of convocation of 1562, (who were, without doubt, the most learned of the inferior clergy) wrote so ill, that it is difficult to read their names." And in the injunctions set forth in the year 1559, Sparrow's Collect. page 81, "All ministers and readers of publick prayers, chapters and homilies, are charged to read leisurely, plainly, and distinctly, and to peruse over before, once or twice, the chapters and homilies, to the intent they may read to the better understanding of the people." And, as a further specimen of the ignorance of those times, it may not be amiss to give the reader an entertaining passage out of Dr Langbain's preface before a book of Sir John Cheek's, intitled, *The true Subject to the Rebel*. Says he, "What rare preachers shall we imagine they had at the university in Queen Elizabeth's time, when Mr Tavernour of Water-Eaton, high sheriff of Oxfordshire, came in pure charity, not ostentation, to give the scholars a sermon in St Mary's, with his gold chain about his neck, and sword by his side, beginning with these words: 'Arriving at the Mount of St Mary's on the stony stage where I now stand, I have brought you some fine-biskets, baked in the oven of charity, and carefully conserved for the chickens of the church, the sparrows of the spirit, and the sweet swallows of salvation.'"

But to bring the ignorance or negligence of Queen Elizabeth's time home to the present question, I ask, what greater instance can there be either of the one or the other, than such a silence among the writers of that time concerning the authority of this clause? For though it was printed in some editions of the articles, and left out in others, yet I cannot find the least notice taken of it by any of the authors of that time; so little were the articles of the church regarded, and so easy was it for the clergy to print what they pleased for articles of the church. Nothing therefore can possibly hinder frauds of this kind but the honesty and integrity of the clergy, or their fear of being discovered: But neither of these can be thought a sufficient security to any one who has looked into the history of other countries, or even of his own, where the clergy, in the reign of Richard the Second, have had the impudence to forge an act of parliament for the destruction of hereticks, said by them, in the title, to be made in the parliament at Westminster *quinto regis*.¹ This imposture was indeed detected in the next sessions of parliament, and this act of theirs declared to be null and void: So their design came to nothing. But I think this sufficiently shows their disposition, and what uses they are ready to make of our simplicity.

2. But it will be still more easy to conceive how this clause was imposed on us, if the articles were only printed in Latin in the year 1563 with the clause in them, and

¹ The case of Ephraim and Judah, p. 21, 22, 23.—*Org. Note.*

in that very year in English without the clause, as I am apt to imagine they were. For though Dr Heylin says, "they were printed both in Latin and English, with the clause of the church's power in them, in 1563," yet I find it affirmed by a gentleman in the year 1660,¹ that there was a diversity of printed copies as to the clause of the church's power, in the very year they were first agreed on. And again, at the bottom of the same page, "That in that very year there were two printed editions of the articles, one in English, and another in Latin, whereof the one had the clause, and the other wanted it." And to confirm this account, I shall present the reader with a passage out of a letter from a friend of mine at Oxford, whom I desired to send me a collation of the first English edition of the articles, mentioned in the Oxford catalogue. He writes me word, That he has done his endeavour to satisfy me, but not with that good success he hoped for: Since for the first edition of them in English, in the year 1563, he found there had been one; but when he came to look over the book in which it had been bound up among other miscellanies, he found it entirely cut out, as appears by the space that is there left.² So that if it be considered, that the articles were only printed in Latin in 1563, with the clause in them, but that it was left out in the English edition of that year, my Lord of Sarum may very easily imagine how such an imposition might begin in those times.

3. I have a further reason besides Mr Hamilton's testimony, and the cutting out of the articles of 1563 at Oxford, for supposing the English edition of that year wanted the clause. I have an old edition of the articles in English, printed by R. Jugg and J. Cawood, printers to the queen, without any date, where the clause is wanting. And, upon examination, I think I have reason to believe this to be the English edition of 1563, because I find it answers all the characters that Bishop Pearson³ gives us of the first edition of the articles in English. He says,⁴ the first edition was set forth by R. Jugg and J. Cawood, and that the articles had no number affixed to them; both which exactly agree to my edition, and the last particular distinguishes it from all the editions I have seen; for in the edition of 1571, and all since, I find the articles are numbered.

Besides, this old edition of mine recites only the titles of twenty homilies, agreeable to an edition of the homilies printed in 1563, which contains only twenty; whereas the latter editions of the articles give us the titles of one-and-twenty homilies, agreeable to the later editions of the homilies.

Wherefore I think I may with some confidence assert, that in the very first year wherein the articles were printed, there were two different copies going at the same time, one in Latin with the clause, and the other in English without the clause, and consequently the difficulty of conceiving how the imposition of the clause might begin is very easily solved.

4. But for a full and effectual confutation of my Lord of Sarum's supposition in favour of some (whom one would think he should know better) that no fraud is to be suspected while a thing is fresh and well known; I will lay before him two instances, which his lordship will allow to be just, whereby it may appear how very practicable it is for some men to impose on others, while things are fresh and well known.

In the year 1552, and the 6th of King Edward the Sixth, there was a convocation

¹ Some Necessity of Reformation, by W. Hamilton, Gent. p. 14.—*Orig. Note.*

² This appears a mis-statement. The second and third editions of his *Priestcraft in Perfection* were printed, with corrections, at London, in 1710, in 8vo; and at the end of the third is subjoined the following advertisement. "Whereas in the two former impressions of *Priestcraft*, &c. a letter from Oxford is cited, giving an account of an English edition of the articles being cut out from a volume of miscellanies in the Bodleian Library, I have omitted that passage in this edition, upon the sight of a letter from Oxford, which assures the gentleman to whom it was written, that my friend was mistaken. I do not know at present in what part of England he is, and therefore I cannot as yet give the reader or myself that satisfaction in the matter, which I hope to do when I hear of his return to Oxford."

³ Bib. Scrip. Eccl. Ang. p. 357.

⁴ Ibid. p. 361.—*Orig. Notes.*

held in London :¹ And during the sitting of the convocation there came out in print a catechism and articles of religion, both bearing the name of that synod. And it is a matter of fact delivered down to this time, that they both had the authority of the convocation. Dr Atterbury says,² "That in the 6th year of King Edward the Sixth (1552) the convocation then met, and passed forty two articles." Bishop Pearson³ and Mr Strype⁴ both say the same thing. And Bishop Sparrow, in his collection of our articles and canons, gives them the title of Articles agreed upon by the Convocation of 1552.

As for the catechism, Dr Atterbury says, (Rights, &c. p. 201, 202.) "It had the very same convocational authority which the articles had, and that it was generally understood so in those times when it came abroad," and Cranmer says, (Fox, vol. 3. p. 50.) "It bore the name of a synod."

And yet nothing is more plain, than that neither the catechism nor the articles ever passed the synod, but were both impositions of some of the clergy and others of those times upon the synod.

For, 1st. As to the catechism. There was a disputation between Philpot the martyr, and Weston a papist, in the Convocation-house in 1553, in the beginning of Queen Mary's reign; where Weston objected to Philpot, (Fox, vol. 3. p. 16.) "That he had set forth a catechism, bearing the name of this honourable synod, without your consents." Philpot replied, "That this house had granted authority to make ecclesiastical laws, unto certain persons to be appointed by the king's majesty; and whatsoever ecclesiastical laws they, or the most part of them, did set forth, they might be well said to be done in the synod of London; and in this point, he thought the setter-forth nothing to have slandered this house, as they went about to persuade the world, since they had committed the synodical authority to them."

There was a dispute likewise between the same Weston and Cranmer in Oxford, 1554, wherein Weston objected to Cranmer, (Fox, vol. 3. p. 50.) "That he had set forth a catechism in the name of the synod, and yet there be fifty who witness that they were of the number of the convocation, and yet they never heard one word of the catechism." And Cranmer answers, "I was ignorant of the setting to of that title, and as soon as I had knowledge of it, I did not like it; therefore when I complained thereof to the council, it was answered by them, That the book was so entitled, because it was set forth in the time of convocation."

These answers of Philpot and Cranmer clearly show the imposition on the synod; and I cannot help adding, out of respect to that excellent martyr Cranmer, that Cranmer's answer clearly shows his own honesty and integrity in this whole affair.

2dly, As to the articles of 1552 being imposed on the synod, that will likewise appear evidently out of Fox. One of the popish charges against Cranmer in 1553, in the beginning of Queen Mary's reign, was, (Fox, vol. 3. p. 551.) "That he did compile and cause to be set abroad divers books." Cranmer answered, "That as for the catechism and book of articles, he granted them to be his doings;" which words, according to my Lord of Sarum himself, (Reflections on Atterbury's Rights, p. 28.) decide the point; so that it will admit of no more debate, viz. that neither the catechism nor the articles were compiled by the convocation, though both of them were put forth in their name, and while they sat.

My Lord of Sarum, to clear further the authority of the edition of the articles in 1563, against the original manuscript subscribed by both houses of convocation, says, (Expos. p. 16.) "The true account of the difficulty is this; When the articles were first settled, they were subscribed by both houses on paper; but that being done, they were

¹ Fox's Martyrs, vol. 3. p. 50. Atterbury's Rights, 2d edit. p. 205, 206, 401.

² Ibid. p. 401.

³ Bibl. Scrip. Eccl. Ang. p. 356.

⁴ Annals, p. 286.—Orig. Notes.

afterwards ingrossed in parchment, and made up in form, to remain as records. Now, in all such bodies, many alterations are often made after a minute or first draught is agreed on, before the matter is brought to full perfection; so this alteration was made between the time that they were first subscribed, and the last voting of them. But, says my lord bishop, the original records, which, if extant, would have cleared the whole matter, having been burnt in the fire of London, it is not possible to appeal to them."

To which I answer, 1. That let the articles be ingrossed in parchment, after they were subscribed by both houses on paper, still those subscribed are the authentick originals; and were those parchments (which the bishop supposes) in being, they would not be of equal authority with the originals in paper, signed by both houses of convocation.

2. His lordship's supposition, "That the alteration was made between the time the articles were first subscribed, and the last voting of them," is inconsistent with the proceedings of all other assemblies of men, who always vote first and subscribe last: And this method which his lordship supposes the convocation took, will never be allowed to be the method of convocation, even by men who have no great opinion of the reasonable proceedings of such a body.

3. His lordship refers the proof of his supposition to records that are lost (which, did they appear, would signify nothing) and therefore can never be admitted to take place against such incontestible evidence as I have produced. And I hope, in regard to the authority of human testimony, whereon the truth of the Christian religion in some measure depends, that neither his lordship, nor the clergy, will urge such presumptions in favour of themselves and their own power, against the highest evidence a matter of fact is capable of, lest infidels and scepticks with as much reason turn such objections upon them.

4. But to vindicate beyond contradiction the authority of the manuscript articles of 1562, left to Corpus Christi College by Archbishop Parker, and to destroy the credit of the Latin edition printed in 1563, and overthrow my Lord of Sarum's supposition of the convocation's first subscribing the articles without the clause, and then voting them with the clause, I shall produce a passage out of that very Latin edition of 1563, where the clause was first printed, with which I am furnished by Bishop Pearson, who, in a book intitled *No Necessity of Reformation*, says,¹ "We know that there was an original of the articles enrolled; we can tell them how many pages that original consisted of, even determinately nineteen; we can assure them this was deposited with Matthew, Archbishop of Canterbury; we can tell them the day when it was done, viz. the fifth day of February: All which appeareth by the postscript printed with the articles in Latin in the year 1563, by Reynald Wolfe, the queen's printer." And he then proceeds to give us the postscript, which in English runs thus: "These articles of Christian faith, containing in all nineteen pages, in a manuscript in the custody of the most Reverend Father in Christ Matthew Archbishop of Canterbury, primate and metropolitan of all England, the archbishops and bishops of each province, lawfully assembled in a holy provincial synod, do receive and profess with unanimous assent, and approve as true and orthodox, by subscription of their hands on the twenty-ninth of

¹ Bib. Scrip, Eccl. Ang. p. 362.

² Hos Articulos Christianæ Fidei, continentes in universum novemdecem paginas in autographo, quod asservatur apud Reverendissimum in Christo Patrem, Dominum Matthæum Cantuariensem Archiepiscopum, totius Angliæ primatem et metropolitanum, archiepiscopi et episcopi utriusque provinciæ regno Angliæ, in sacrâ provinciali synodo legitimè congregati, unanimi assensu recipiunt et profitentur, et ut veros atque orthodoxos, manuum suarum subscriptionibus approbant, vicesimo nono die mensis Januarii, anno Domini secundum computationem Ecclesiæ Anglicanæ, millesimo quingentesimo, sexagesimo secundo: universusque clerus inferioris domus, eosdem et recepit et professus est, ut ex manuum suarum subscriptionibus patet, quas obtulit et deposuit apud eundem reverendissimum, quinto die Februarii anno prædicto.—*Orig. Notes.*

January, in the year of our Lord, according to the computation of the church of England, one thousand five hundred sixty-two: And all the clergy of the lower house did unanimously receive and profess the same, as appears by the subscription of their hands, which they brought and deposited with the same most reverend archbishop, on the fifth of February in the aforesaid year."

These words contain such a description of the manuscript left by Archbishop Parker to Corpus Christi College in Cambridge, as demonstrate that to be the only authentic original of the articles of 1562.

For, 1st, The postscript says, "That the articles in manuscript were kept by Archbishop Parker;" and it is certain Parker gave these manuscript articles to Corpus Christi College.

2dly, The postscript says, "The manuscript in all contained in nineteen pages," so does the manuscript of Corpus Christi College; for at the end of it are these words: "These articles, containing in all nineteen pages," &c.¹ This agreement of the postscript with the original manuscript as to nineteen pages, is of the more consequence, because this manuscript is a fair draught of K. Edward's articles (which were forty-two in number) accurately writ out for the use and serious consideration of the archbishop; some of which are wholly superseded and struck out by the archbishop with a red lead pen, and divers others of them are shortened, dashing that through which he was minded to have omitted:² Whereas had it been a manuscript consisting only of thirty-nine of those articles of K. Edward, and those contracted too, it is reasonable to imagine the manuscript would have fallen short of nineteen pages; but since it consists of exactly nineteen pages, it must be the manuscript referred to in the postscript.

3dly, The postscript says, "The archbishops and bishops of both provinces subscribed the manuscript articles, kept by Archbishop Parker, on the 29th of January, 1562;" and so says the manuscript of Corpus Christi College.⁴ From all which nothing is more clear, than that the Latin edition in 1563, upon which so much is built, destroys its own credit, establishes the authority of the manuscript of Corpus Christi College, and cuts off all pretence for imagining the clause of the church's power was voted after the articles were first subscribed; since the printed edition of 1563 came out after the convocation had done both subscribing and voting.

2. Besides the authority of the Latin copy printed in 1563, it is further pretended, in behalf of the clause in question, "That before the fire of London there were records of convocation in being that had the clause in them, and that from thence it was taken and printed in the year 1563." (Bp. of Sarum's Exp. p. 16.)

Dr Heylin says, (Animad. on Fuller's Ch. Hist. p. 144, 145.) "That having occasion to consult the records of convocation, he found this contraverted clause of the church's power verbatim." Archbishop Laud, in his Speech in the Star-chamber, at the censure of Pryn, Bastwick and Burton, is more particular, and says, (p. 83.) "That he sent to the publick records in his office, and here, under his officer's hand, who is a publick notary, is returned to him the 20th article, with the affirmative clause of the church's power in it. And there is the whole body of the articles to be seen; and that these articles were fully and fairly agreed to, and subscribed in 1562.

And as to the articles reviewed by the convocation in 1571, he says, "They were settled as in the year 1562, with the clause in them for the church: For looking further into the records which were in his own hands, he found the book of 1562, subscribed by all the lower house of convocation in the year 1571." These particulars, urged by Helin and Laud, seem at first view to give some authority to the disputed clause; but as all objections to the truth do, when examined, tend to its confirmation,

¹ Hos articulos fidei Christianæ continentes in universum novemdecem paginas, &c.

² Strype's Annals, p. 289.

³ Ib. p. 288.

⁴ Ib. p. 289.—*Orig. Notes.*

so here these objections will give me an opportunity of setting this matter in a clearer light than I could have done, had not Archbishop Laud and Heylin thought fit to produce these authorities.

I begin first with the pretended record of the articles subscribed in the year 1571, because my answer here will discover what sort of evidence Archbishop Laud was, and thereby prepare my reader for what I shall observe more largely, on occasion of the pretended records of the articles of 1562, cited also by Archbishop Laud.

Now that Archbishop Laud never saw any articles that were settled and subscribed in 1571, as he says he did in his Speech in the Star-chamber in 1637, will be evident from the following passage written by him, in his History of his own Troubles and Trial: Says he, (p. 208.) "A committee of the House of Commons sent Mr Dobson, my comptroller, to me to the Tower, to require me to send them, under my hand, what originals I had of the articles of religion established in 1571. This was on Wednesday, July 12, (1643,) and I returned him the same day this answer in writing, with my name to it: 'The original articles of 1571, I could never find in my paper study at Lambeth, or any where else; and whether any copy of them were left there, I cannot tell.'" So that here you have Laud contradicting himself, and destroying his own testimony in the Star-chamber, in the fullest manner that can be. While he was in the height of his power, and had no fear of being called to an account for what he said, this blessed martyr made no scruple to put a falsehood on the world, by saying, "That looking into the records which were in his own hands, he found the articles subscribed by all the lower house of convocation in 1571." But when he was in apprehension that he should be obliged to produce his vouchers for what he said, he proceeded with more caution, and tells the parliament, "That he could not find the original articles of 1571, either at Lambeth, or anywhere else." I do not think his admirers will alter their opinion concerning him (any more than I do mine) on account of this notorious prevarication: I do not hope to produce that effect on them; nor is it of any moment to the question in debate, either whether they do not believe a word that he says, or else lay an equal stress on both his testimonies; for let them take which side they please, it is demonstrable that his testimony in the Star-chamber must go for nothing.

2. As to the record of the articles that Archbishop Laud says were agreed and subscribed to in 1562, and for which he produced the hand of a publick notary in the Star-chamber, I answer,

1st. By asking, (1.) On what day this record was agreed to and subscribed? For if it was subscribed before Archbishop Parker's manuscript was subscribed, it can be of no validity to establish the authority of the controverted clause, the subsequent subscription of Parker's manuscript nulling all former subscription. (2.) I ask by whom this record was subscribed? For unless it was subscribed by both houses of convocation, it is of no validity against a record subscribed by both houses, as Archbishop Parker's is. (3.) I ask in what manner this record is subscribed? For in my enquiries I meet with something very strange, and that, for ought I know, Archbishop Laud may call subscription. A friend at Oxford writes me word, "That there are two Latin copies of the articles printed in the year 1563, by Renald Wolfe, wherein the clause of the church's power is inserted; and," says he, "I cannot but observe a notable piece of fraud as to one of these copies, to the vellum cover of which is pasted a long scroll of names, of the supposed subscribers to the articles of 1562. But when I came to compare these names with those Mr Strype has given us out of Corpus Christi College library, (Annals, p. 289,) that are subscribed to Archbishop Parker's manuscript of 1562, I found them quite different; for though some of the names are the same with these, yet it is commonly by other titles; so that neither the prolocutor nor the members could be the same that subscribed the articles of 1562." Unless therefore Archbishop Laud, Dr Heylin, or somebody else, had told us in what manner this book was subscribed, we may very well imagine that there was such a piece of artifice used, as there

is at Oxford, to give credit to the controverted clause; especially since so much prevarication appears in supporting it, and there is the greatest evidence in the world for rejecting it.

2dly, I answer, That there could be no records of convocation in the Archbishop of Canterbury's office left in Laud's time, proper to determine the question of the authority of the controverted clause. For it has already been shown, that the original articles were left with Archbishop Parker, and that they were given by him as a legacy to Corpus Christi College in Cambridge, at his death in 1575, where they still remain.

3dly, Had not the manuscript of 1562 all the marks in the world of being genuine, yet the authority of Archbishop Parker must be allowed to be greater in this case than Archbishop Laud's. I suppose Archbishop Parker is generally esteemed a high churchman, by what I meet with of him in Wood¹ (who never gives a good word to any one of another character,) "That he sat in the see of Canterbury with great honour to the day of his death:" And therefore he must be supposed at least willing to do justice to the church, though he might make some scruple of prevaricating in its behalf, as Laud did. But there was a great difference between them in another respect. Archbishop Parker, as president of the convocation of 1562, and 1571, the only convocations that ever had the affair of our articles before them, must be acquainted perfectly with their proceedings, and consequently be better qualified to give an account of our articles than any succeeding archbishop.

4thly, That there were no records in the Archbishop of Canterbury's office, proper to determine the question before us, in Laud's time, will appear likewise from a passage out of Dr Heylin's *Cyprianus Anglicus*, or *Life of Archbishop Laud*, which on other accounts, as well as that before us, deserves to be cited at large. Says he,² "The Archbishop (that is Archbishop Abbot, Laud's immediate predecessor) had been off the hooks since the affront (as he conceived) was put upon him, in burning his chaplain Dr Mocket's book, entitled, *Politia Ecclesiæ Anglicanæ*; which had given no small reputation to the church of England beyond the seas: for which severity, though many just reasons were alledged, yet it was generally conceived, that as the book fared the worse for the author's sake, so the author did not speed the better for the archbishop's sake; between whom and the Bishop of Winchester there had been some differences, which the rest of the court bishops were apt to make use of to his disadvantage. This Dr Mocket had published in the Latin tongue the Liturgy of the Church of England, the Publick Catechisms, the Thirty-nine Articles, the Book of Ordination of Bishops, Priests, and Deacons, and many doctrinal points extracted out of the Book of Homilies; together with Bishop Jewel's Apology, Mr Noel's Catechism, and his own *Politia*, &c. A collection which the good man published in a pious zeal, for gaining honour to this church among foreign nations: But then this zeal of his was accompanied with so little knowledge in the constitution of this church, or so much biassed to Calvin's platform, that it was thought fit not only to call it in, but to expiate the errors of it in a publick flame. For first his extracts out of the Book of Homilies were conceived to be rather framed according to his own judgment, which inclined him towards Calvinism, as his patron did, than squared according to the rules and dictates of the church of England. And possible enough it is, that some just offence might be taken at him, for making the fast-days appointed in the Liturgy of the Church of England to be commanded and observed *ob politicas considerationes*, for politick considerations only. But that which I conceive to have been the true cause why the book was burnt, was, that in publishing the twentieth article concerning the authority of the church, he totally left out the first clause, viz. *Habet Ecclesia ritus sive ceremonias statuendi jus, et in controversiis fidei auctoritatem*: by means whereof the article was apparently

¹ Athenæ Oxon vol. 1. p. 588.

² Page 70, Ann. Dom. 1617.—Orig. Notes.

falsified, the church's authority disavowed, and consequently a wide gap opened to dispute her power in all her canons and determinations of what sort soever.

From which passage of Dr Heylin, I argue, (1.) That if Mocket's book was burnt out of enmity to Archbishop Abbot his patron; and if the reasons publickly assigned were what the doctor suggests; and if the doctor conceives aright as to the true cause of burning it; it is evident that the clause of the church's power must be a pure piece of forgery. For if the omission of the clause had been really a defect in Mocket, why was not that assigned as a publick reason for burning the book? That would have been so glorious an opportunity for the court bishops to show their enmity to Abbot, that their omitting to assign that as a reason for burning his book, evidently shews that they could not defend the authority of the clause. (2.) Mocket's book showed the judgment of Archbishop Abbot, and in all likelihood of many other divines of that time, and thereby rendered the authority of the clause very suspicious; so that it became the court bishops, not only out of enmity to Archbishop Abbot, but out of regard to the church, to have settled the authority of this disputed clause, which the records of that time must have enabled them to do, had there been any to the purpose. But since no attempt was made at that time towards establishing the authority of this doubtful clause; and since Archbishop Abbot and several other eminent divines must be supposed likewise to think it spurious; nothing can be plainer than that there were no records then in being proper to determine the affair of this controverted clause, but what made against its authority. The records belonging to the office of the Archbishop of Canterbury were as visible then as they were afterwards in Laud's time; but since no one then thought fit to make use of them, when so just an occasion was given, I conclude that there were then none there in favour of the clause, and that if Archbishop Laud's manuscript did appear to have been there in Archbishop Abbot's time, it would be of no authority.

5thly, But Archbishop Laud himself has enabled me to put an end entirely to the authority of this manuscript, (for which he produced the hand of a publick notary) in almost as ample a manner as he did in the case of the original articles of 1571. For when the House of Commons, in 1643, sent to him at the same time about the original of the articles of 1562, as they did about those of 1571, he sent this answer with his name to it: "The original articles of 1562, with many hands, I did see and peruse at Lambeth; but whether the bishops hands were to them or not, I cannot remember." So that these original articles of 1562, for which he cites a publick notary, are plainly of no authority, when considered in opposition to Archbishop Parker's manuscript: For sure no one will say that a manuscript subscribed by one house of convocation, is of equal authority with one subscribed by both houses, and both provinces. But,

6thly, It does appear, that there was a double subscription of the articles, first by ² some members of the lower house, and afterwards by the body of the lower house on the fifth of February.³ From whence I argue, that either the articles, which were thus doubly subscribed, were numerically the same, or somewhat different from one another. If they were numerically the same, then the records, for which Laud produces the hand of a publick notary, must be forged records, with a sham list of names tack'd to them: because these records of Laud differ from the articles signed by the body of the lower house on the fifth of February, which were lodged with Archbishop Parker (as appears from a ⁴ postscript to the first Latin edition of the articles in 1563,) and are now to be seen at Corpus-Christi College in Cambridge without the clause. If the articles thus doubly subscribed were not the same in all respects, then those records, for which Laud

² Hist. of his Troubles, p. 208.

² Acta Conv. 1562. printed in the Synodis Anglic. p. 206.

³ Ibid. p. 207. compared with the postscript (to the first Latin edition of the articles in 1563,) printed in Bibl. Script. Eccl. Ang. p. 362.

⁴ Bib. Script. Eccl. Ang. p. 362.—*Orig. Notes.*

produced the hand of a publick notary (if they were true records) must be those first subscribed by some members of the lower house; because Archbishop Parker's manuscript was left by him to Corpus-Christi College at his death in 1575, and consequently was removed from the Archbishop of Canterbury's office long before Laud's time. Wherefore did those records now appear with the clause for the church's power, they would be so far from establishing its authority, that they would entirely destroy it. For the appearance of such a record would show that there was a contest in the convocation of 1562, about the clause of the church's power; and the manuscript of Corpus-Christi College would show not only that the clause is no part of our twentieth article, but that the convocation of 1562, acquitted themselves like protestants, in throwing out such a clause, which some at that time of day were so much papists as to subscribe; whereby the sense of our church would be discovered in a more complete manner against the doctrine of the authority of the church in controversies of faith, than if a clause asserting its authority had never been offered at.

Thus I have produced what I think fit at present to demonstrate, both forgery and absurdity of this clause: But yet I hope no one can think me so irrational, as to propose either by the one or the other to produce any other effect on our high-church priests, than a greater noise and zeal than ever in its behalf; for as my Lord of Sarum very justly observes, (Exp. p. 5.) "When corruptions are beneficial to the whole body of the clergy, they can never be reformed without a miracle by the major part." And therefore I shall conclude this matter with a few inferences from the whole, for the sake of those to whom it is written; who either have no interest to mislead them, or else have a love of truth superior to such a consideration.

As, 1st, A man may see by this instance how uncertain tradition is, and by what sort of means that has, not with the Jews only, but with the majority of Christians, gone a great way towards "making the Word of God of none effect." Mark, 7. 13.

2dly. How uncertain the evidence of the greatest divines in church-matters is, more especially since they give ground to make one believe, that they think themselves obliged in conscience to promote the good of the church by fraud (as well as force) as the instances I have given would tempt one to imagine. For I can hardly conceive so ill an opinion of Archbishop Laud or Bishop Pearson, as to believe them capable of offering things to the world against their own knowledge, upon any other principle, but that out of conscience they think themselves obliged to use that trick (as Archbishop Tillotson^{*} phrases it) of the zealots, of lying for the truth.

3dly, If men may be imposed on so easily in such a country as ours, how much more easily may they be imposed on in the more ignorant and dark corners of the earth, especially before printing was invented, when all kind of literature was wholly in the hands of ecclesiasticks?

4thly, If priests are capable of venturing to forge an article of religion, and mankind are so stupid as to let them have success, how can we receive books of bulk (such as the fathers and councils) that have gone through their hands, and lay any stress or dependence on their authority? Ought we not rather to suppose, that where they have had an opportunity, they have laid out their natural talents in alterations, interpolations and razures of those books, than that they have let us have any thing pure and unmixed as from the fountain, where it has been in the least degree in their power?

5thly, We may learn how advantageous such discoveries are to true religion, which can never be rendered suspicious, or of doubtful authority, but when it is mixed and blended, and put on the same foot of credit with the forgeries of priests. Let religion (which signifies man's duty to God) stand on those reasons which must of course occur

^{*} Sermons, vol. 4. p. 433.

to every body, without the assistance of forgery from the priests, and persecution from magistrates at their instigation ; and it cannot be supposed, but that all well-meaning men must come into it, without a high reflection on Almighty God, in making him to require that as a duty of us, which, with the best intentions, we are not able to arrive at the knowledge of.

6thly, and lastly, How great a value we protestants ought to set upon the Holy Scriptures, those inestimable treasures of wisdom and knowledge, since there is nothing but uncertainty to be met with everywhere else ; and since we are assured by the Spirit of truth itself, that “ they alone are able to make us wise unto salvation.” 2 Tim. 3. 15. They have a universal tradition to support them, infinitely beyond the evidence of any other matter of fact, and have besides the “ demonstration of the Spirit and of Power.”¹ But I cannot express my sense better against the authority of priests, and for the authority of the protestant religion contained in the Scriptures, than in the words of our incomparable Chillingworth:² says he, “ By the religion of protestants I do not understand the doctrine of Luther, or Calvin, or Melancthon : nor the Confession of Augusta or Geneva, nor the Catechism of Heidelberg, nor the Articles of the Church of England ; but the Bible, the Bible, I say, the Bible only, is the religion of protestants. Whatsoever else they may believe as matter of faith and religion, they cannot do it with coherence to their own grounds, nor require the belief of it of others, without most high and most schismatical presumption. I for my part, after a long, and (as I verily believe and hope) impartial search of the true way to eternal happiness, do profess plainly, that I cannot find any rest for the sole of my feet, but upon this rock only. I see plainly, and with my own eyes, councils against councils, some fathers against others, the same fathers against themselves, a consent of fathers of one age against a consent of fathers of another age, and the church of one age against the church of another age. Traditive interpretations of scripture are pretended, but few or none to be found : No tradition, but only of scripture, can derive itself from the fountain. In a word, there is no sufficient certainty, but of scripture only, for any considering man to build upon. This therefore, and this only, I have reason to believe : this I will profess, according to this I will live, and for this, if there be occasion, I will not only willingly, but gladly lose my life, though I should be sorry that Christians should take it from me.”

A New Catechism, with Dr Hicke's Thirty-nine Articles : With a Preface relating to the true Interest of Great Britain, both in Church and State.

————— *Sibi, non Cœlicolis, hæc Turba ministrat.*

Some account of the learned Dr Hicke has been already given in the preface to his Tract entitled *Ravillac Redivivus*. He is now only known by his invaluable *Thesaurus Septentrionalis*, one of our most able works upon northern languages and antiquities. But in his own time, being a determined Tory, he supported the cause of his party by several controversial works, of which the most celebrated was *Jovian*, written in answer to the *Julian* of Samuel Johnson.

¹ 1 Cor. 2. 4.

² Prot. Rel. a safe way, cap. 6. sect. 56.

After the Revolution he was deprived of the deanery of Worcester, on account of his declining to take the oaths to King William, and lived afterwards in retirement chiefly at Ambroseden. Some whig author has selected from the writings of Hickes, as the Coryphæus of the high-church party, such *dogmata* as tend to shew the absurdity of their favourite doctrines of passive obedience and non-resistance.

The Preface.

NOTHING can be more unaccountable, than that so many ecclesiastics should every where so industriously infuse jealousies into the people, of the great danger the church of England lies under, notwithstanding she is guarded by so many laws, defended by a most numerous clergy, supported by immense revenues, the almost insuperable prejudices of education, chiefly in her favour; protected by a most religious queen, who has nothing more at heart than the church's real interest; and all the English officers, both civil and military, except perhaps a very few of the meaner sort, wholly of her communion. The toleration has, in a great measure, taken off the dissenters prejudices to the church; and they begin to think that the trifling differences, which are between them and the church, do not deserve the expences of maintaining separate meetings and ministers: And it is notorious, that those families of the nobility and gentry, that were formerly dissenters, are now come into the church; and that those few of the trading sort, who are capable of bestowing a liberal education on their children, do generally breed them up in the church of England. So that nothing seems more certain, than that the dissenting interest, which is at present so very inconsiderate, must in time be inevitably reduced to nought, if the furious zeal and persecuting temper of some hot-headed bigots do not prevent it, by reviving old, and creating new prejudices. It cannot be doubted but that the conduct of such men is the sole reason why the separation has continued so long; since we see that in all places where there is a moderate, or, in other words, a low-church minister, his gentle and Christian behaviour by degrees wins the dissenters over to the church: But if he be succeeded by a high-churchman, his bitter uncharitableness and unchristian conduct drives men from the church, and soon occasions the meeting-house to be filled again. And whoever considers the nature of men, must needs see that such violent spirits as Sachevel, M——C——rn, H——gg——ns, &c. are the best friends, and the greatest support, the conventicles have. And nothing can make the different sects of dissenters combine against the church of England, but the danger of having their religious liberties taken away by these professed enemies of toleration. As long as they are secure of them, they must think it their interest to defend both the church and state, by which they are so indulged; it is that which makes some men, who are enraged to see their prudent and peaceable conduct, as well as zeal for the present establishment, take such unjustifiable methods of dealing with them.

The holy fathers thought the church's greatest dangers to flow from the prodigious riches that came tumbling into her on all hands, as soon as by the laws of the empire she was capable of acquiring possession. And one who did not know these gentlemen, would be apt to think they apprehended the church to be in danger, by her majesty's generously parting with her first-fruits and tenths to the clergy, and by the repeal of the statute of *Mortmain* (which statute alone, in the popish times, hindered the church from getting all the lands of England into their hands) seeing the greatest outcry of the church's danger has been since that time; and notwithstanding the church by the union has been made an essential part of the constitution.

But their most ungratefully making the church to be in danger from her majesty's

administration, is not more surprising, than their supposing the bishops to be in a plot to bring in presbytery ; while at the same time they exclaim against them for being too much bishops, in not humbly condescending to act upon a level or presbyterian parity with the lower house of convocation, who claim a co-ordinate and equal power with them in the supreme acts of church-legislation, from which all the inferior powers in the church must be derived. And if there be a presbyter in the church of England that will not come into these notions, let him write with the utmost force against presbytery, as it is most evident Mr Hoadly has done, yet they will not scruple to persuade the mob, that he is as errant a presbyterian as Dr Burgess.

This is much of a piece with their representing the whigs as republicans, and at the same time railing at them for opposing all the laws made since the Revolution, which limit the prerogative. And as little ground have they to charge the whigs with presbyterian, as with republican principles ; unless they will suppose that the defending the rights, privileges, and powers of the bishops against the presbyters (I had almost said presbyterians) of the lower house of convocation, be a proof of it. But in some men's opinion, their voting for the rights of the episcopal see of Carlisle, in the dispute between the bishop and the dean, was enough to make them rank presbyterians, and those that differed from them staunch churchmen. And I may defy these gentlemen, who represent the church to be in danger from the whigs, to name any one act ever since the Revolution, which, as often as they had power in their hands, they have done in prejudice of the church ; though they have been instrumental in passing several laws in favour of the church, as those for the more easy recovery of tithes, &c. But if nothing can make them true churchmen, except listing themselves under such persons as acted in the high-commission court, which was set up with no other design than to destroy the church of England, then indeed I am afraid they will not deserve that character.

If these gentlemen would speak out, they would say that the whigs had endangered the church, by having been so instrumental in passing laws, which not only exclude from the crown for ever all papists, and persons married to papists, but absolve the subjects from their allegiance, if any such should ever happen to get into the throne, and enjoin them to abjure the pretender, and swear to the protestant succession. It is the whigs appearing so hearty in forcing the grand enemy of the protestant religion humbly to sue for a peace, which has given these men so melancholy a prospect, that they have redoubled their cry of the danger of the church, and taken all other methods to encourage the French king to go on with the war.

But this is no new charge on the whigs: For in Charles the Second's time, when they were endeavouring to secure the church of England by an exclusion-bill, and by doing all in their power to put a stop to that torrent of popery and slavery which was overflowing the nation, they were represented by the emissaries of France as enemies to the church of England, and exclaimed against by the Sacheverels of those days as errant fanatics ; because they were against weakening the common protestant interest by the persecution of protestant dissenters : Which persecution the highest churchmen in King James's reign owned to have been promoted by the papists, the better to bring about their design of extirpating the northern heresy ; and therefore promised to come to a temper with the dissenters. Yet when, by the blessing of the Revolution, it was in their power to do it, they plainly shewed that they were as little for keeping faith with those they called schismatics, as the papists are for keeping it with heretics. This made the parliament, since the convocation was against a comprehension, to allow the dissenters a toleration, as finding it absolutely necessary for the safety of the nation ; but from that time (as if every thing which was for the security of the state must tend to the ruin of the church,) this has been said to be in danger, and all the principles on which the Revolution, that preserved the church, was brought about, have been

damned from the pulpit by those very men who were instrumental in it; and the high-fliers have ever since, as has been observed by a learned prelate, sworn and prayed one way, and preached and practised another.

This panic of the danger of the church is as unaccountable, as that which a handful of Irish caused at the Revolution. And when people recover their senses, and coolly consider of things, it must lead them to examine, whether those men would have ventured to assert so notorious a falsehood, after the most solemn manner, and in the most sacred places, had they not the understandings of the multitude in the utmost contempt; and concluded, they could so inflame them, as to be able in this critical juncture to bring about the dark designs before they could be detected.

When men knowingly raise a false alarm of the danger of the church, from a quarter from which no danger can be justly apprehended, it is a demonstration that they mean no good to the church themselves, but put people on a false scent, to divert them from looking into their designs of subverting the present constitution. And when we see them maintaining with so much zeal the same principles that the Jacobites urge to justify their adhering to the St Germain's family, in opposition to the present government and protestant succession, and joining with the papists and Jacobites in all such things as tend to clog the wheels of the administration, and to divide and weaken us both abroad and at home; what can we conclude, but that they are influenced by the same spirit, and carry on the same interest and designs? Though if there be any difference, it is, that the former shew a more implacable malice to the present settlement.

If the principles of Dr Sacheverel's sermons had been followed at the time of the Revolution, nothing can be more evident than that the protestant religion would have been extirpated, and the whole nation involved in popery and slavery: And yet, forsooth, this man, for the sake of these doctrines, must be accounted the great champion of the church of England; and the House of Commons for impeaching him, the Lords for trying him, and the queen herself for shewing the highest approbation of their proceedings, must be represented in a plot to destroy the church: Nay, in the midst of this trial (where the doctor had all the freedom and favour imaginable allowed him) a mob must be raised, in spite of the principles of non-resistance, to over-awe the supreme judicature of the nation, to insult their own representatives, to pull down meeting-houses; who, had they not been timely suppressed, would have proceeded to other more fatal acts of treason and rebellion: And yet after all this, these men have the assurance to maintain, they are for the present constitution, both in church and state.

If the church of England has not suffered in any one point (as I do not find it is attempted to be proved) by the trial of Sacheverel, or the condemnation of his doctrines, these tumults, the usual forerunners of civil war, which have been set on foot under pretence of the church's danger, which violently shake the constitution, and shew a strange contempt of the whole legislature, especially that part which has always been esteemed the great bulwark of the people's liberties: I say, these tumults can have no other meaning than a new revolution in favour of the popish pretender; who, that he may with security destroy the church, and enslave the nation, the people must be stirred up to mutinies, because the supreme powers shew so great a regard to the constitution, as to declare it may be defended by other arms, than prayers and tears. These men are guilty of such a crime, as was exceeded only by that of the Jews of old, who rejected God himself from reigning over them, and desired a Saul in his stead.

None in the least acquainted with their writings are ignorant, that the papists themselves cannot have a greater aversion than what these men upon all occasions shew to that part of the constitution of the church that relates to the supremacy; which was

the ground the Reformation was built upon, and the means by which it was carried on, and esteemed till now the just barrier between popery and fanaticism.

The following Catechism will abundantly shew, that it is not the religion of the church of England they are in pain for, but a religion of their own contriving, made up of inconsistencies, treason, and blasphemy, and calculated to gratify their pride, ambition, and avarice.

It would not be strange if such a Babel as this, notwithstanding the mighty pains they have been at in building it, should be dangerously shaken by some late books: But it would be the greatest libel imaginable on the whole body of the clergy to suppose, they are not capable to defend the church, though she is built on a rock, over which the gates of hell can never prevail, against a few odd passages taken from Parson Hickerling, and some such writers. And if these worthy divines did believe the church in danger from such passages, why did they republish them in Sacheverel's collection?

Would these gentlemen be tried by the maxim laid down by Dr Sacheverel, 'That heterodoxy in the church naturally produces, and almost necessarily infers, rebellion and high-treason in the state: It would go very hard with them, since the doctor's trial will not make a volume half so large as the heterodox passages which may be collected from their writings. Though this Catechism is but a short specimen, by which the reader may judge of the rest, yet it is for the most part taken from those authors whom they hold in the highest veneration, and upon no other account than for the sake of such notions as are contained in these passages.

I cannot but think it a service to our excellent church, to let the blind adorers of this faction see what they are contending for, that they may distinguish the furious and popish bigots from sober and moderate churchmen, and the treacherous and false brethren from sincere and real protestants.

And I purposely omit fathering these absurd notions upon any party, because I verily believe the greatest part of those who clamour most in these men's favour, are so far from approving their principles, that they do not know them: And I wish they were as free from prejudice as I hope they are from corruption.

All that I desire of them is, not to examine whether there is an instance in any country of the highfliers thinking the church out of danger, till it became superior to the state, but only to read a small extract out of that famous French historian Mizeray, entitled, *An Account of the Conduct of the Roman Catholic Clergy and Zealots of France, from the first Toleration of the Protestants to their Expulsion, &c.* where they will find that the clergy, by haranguing on the danger of the church, could so effectually work on the passions of the people, as to make them, as often as they pleased, take up arms to extirpate the protestants: And when, by the great effusion of blood, and devastation of the country, a pacification necessarily followed, and the protestants had their privileges confirmed anew, the clergy by their sermons, which tended rather to the cutting the protestants throats, than converting their souls, could so inflame the populace, as to make them run from divine worship to murder and massacre them. But none felt the implacable fury of the clergy more than those called the politics, who were good catholicks, and in the interest of the clergy, as far as was consistent with that of the nation, but would not give up the liberties of the Gallican church to the pope, nor help to carry on the designs of the Spaniards for an universal monarchy: Both which the clergy came heartily into, hoping thereby to bring about the destruction of the protestants.

"The church of France," as this author remarks,¹ "could not endure that any should serve them in common with mankind, arising from mild reason and sober judgment:

¹ Sermon preached before my Lord-mayor, of the Danger of false Brethren, p. 22. ² P. 32.—*Orig. Notes.*

They must have their interest served blindly and exclusively of all others, and upon such unnatural and absurd principles, as, once well believed, secure men from relapsing into humanity and common sense, which they think none can exercise freely on religion or government, but must have some design against them. They therefore exclaimed against the politics more outrageously than against the protestants: To the heresy of those they gave no worse name than fanaticism; but atheism and libertinism were the best they could bestow on the moderation of the others.

“In short,” the clergy and zealots, out of hatred to the protestants, first run into all the excesses of popular sedition, and actually compassed the murder of two kings, that they might exalt the church above the state; and then, by a reverse of councils, knavishly complimented their monarch with an entire sacrifice of all the civil liberties of the nation, to gratify his thirst of dominion, and their own furious passion to get rid of their dissenting brethren.” And now since the king has sacrificed the protestants to the clergy, and the clergy the liberties of the nation to the king, who is there in France that dares deny the church and state to be admirably well settled?

Whether the high-flying zealots here are not for settling the church and state after the same manner, may, especially as to the church, be seen by the ensuing Catechism: And as to the state, by their late addresses, in which they lay down such principles of unconditional unlimited obedience to a limited monarch, as make the nation to hold their lives and properties by the tenure of will and pleasure; and yet at the same time they pretend to hate men of arbitrary principles, and to be tender of the rights of their fellow-subjects, whilst they are furiously contending, that the nation has no rights, but what they must, on pain of damnation, yield up to the prince, whenever he is in the humour to take them. This is not only giving a proclamation the force of a law, but damning all British parliaments as inconsistent with that supreme irresistible power, with which they suppose St Paul, without regard to human constitutions, has alike invested all princes.

It is ridiculous for them to talk of the rights of a nation, if that nation has no right to defend their rights against a person who has no right to take them away; since this as much makes their all to lie at the mercy and arbitrary disposal of the most limited, as of the most absolute prince. This is much of a piece with their pretending to be for the protestant succession in the house of Hanover, while at the same time they prefer all the popish line, by admitting none but an hereditary right, or at least none to be equal to it.

I should be glad to know upon what principles they, who lay so much stress on an hereditary right, could own the late king to be rightful and lawful; or what they can answer to the professed Jacobites, who plainly say, that their James the Third has better proofs of his legitimacy than any man now living can pretend to, and those proofs recorded in Chancery; though had he been only owned by the king and queen, that is, say they, such a presumptive proof of his being their son, as cannot, at least at this distance of time, be set aside but upon the clearest evidence, without destroying the proof of almost every body’s legitimacy. They further add, that that queen has not only had another child since, who is now alive, but that if the pretender had been supposititious, a forgery of that nature going through so many hands, must in all this time have been detected; especially since people have not only had a liberty, but an interest to examine into it.

Thus these loyal addressers advance principles, which as little tend to secure her majesty in the throne, as they did to bring her to it; and which can only serve to introduce a French religion as well as government.

All I shall further say on this head is, That in Denmark, within the memory of some now living, the commons, to be revenged of the lords for using them ill, were so

wicked as to give up their constitution, and make their prince absolute; for which they have ever since been cursed by a poor ruined people. But some of our addressers have outdone the treacherous Danes; and in defiance of their own representatives the commons, as well as the lords (with whom they have no other quarrel, but that in justification of the Revolution, they will not allow the nation to be bound, on pain of damnation, to let the prince destroy their laws, lives, and religion) are endeavouring to give up all the British liberties to a princess, who has so much generosity as to abhor such a sacrifice, and who by her own bright example has shewn them how much the liberties of their country ought to be preferred to all other considerations. These gentlemen have but one excuse in common with the Danes, which is, that what they have done has been at the instigation of priests, too many of whom have been every where active in enslaving their country; and it is notorious, that by their means, most of the nations of Europe, who within a century had the same liberties, the same Gothic constitution that we enjoy, are reduced to a most miserable slavery.

I charge none with consequences, but have made use of their own words; which, as they need no comment to explain them, are so very absurd and profane, that the bare reciting them is the best way of confuting them: And though some of the citations are not originally theirs, yet since they are quoted by them with approbation, and as authorities to serve their purpose, they have made them their own, and therefore may justly be mentioned as such; and I think I have fairly represented their sense as well as their words.

As for the thirty-nine propositions or articles, they are not only cited in the ¹ Appendix to the Character of a Primitive Bishop, as Dr Hicke's, and never contradicted by him, but the first four of them are set down by the doctor himself, in his Preface ² to his Two Treatises. And though this proof had been wanting, yet the applying at least twenty times, in these thirty-nine propositions, the words "sovereign, throne, regal, regent, fidelity, fealty, dethroning," &c. to the clergy, and writing the whole with the air of a sovereign pontiff, must induce every one, who is the least acquainted with the doctor's writing, to conclude whose they are, without the least suspicion of forgery either in the twentieth or any other of the articles.

A New Catechism.

Quest. What certain mark have we of a divine revelation?

Answ. A contradiction. For if it be not a revelation, it must be an invention of some or other; but if it be a contradiction, it could not be an invention; for who could invent a contradiction? *Lesley's Socinian Controversy discussed*, Dial. 1. p. 24.

Q. How can you prove to sceptics that the Scripture is the word of God?

A. By the testimony of devils. For the sceptics can do pretty well with religion on speculative principles; but when a proof is brought from the confession of tormented spirits, this galls them. *Reeves's Dedication to his Apologies of the Ancient Fathers*, lately published.

Q. After what manner are the Scriptures contrived?

A. The Scriptures are so contrived by the will of God, that they should afford occasions for heresies. *Hicke's Apol. Vindic. of the Church of England*, p. 67.

Q. Is there nothing but truth contained in them?

A. There are fictions in divinity, which infinite wisdom has devised for our benefit and advantage. *Hicke's Two Treatises*, p. 69.

Q. What is your opinion of the writings of the prophets?

¹ P. 263.

² P. 5.

A. God was pleased artificially to conceal many things in them, lest Satan, coming to the knowledge of them, should endeavour to prevent or obstruct the fulfilling of them, or enervate the certainty or demonstration of them after they were fulfilled. *Hickes's Apol. Vindic. of the Church of England*, p. 63.

Q. What was then kept as a secret from the devil?

A. The virginity of Mary. [*Ibid.*]

Q. What are your thoughts of the Virgin, and her conception?

A. That God called her his spouse, in whom the whole Trinity met to consult.—The great Creator disdained not to be made the Son of his own creature, and owned himself as it were beholden to that creature for something which he had not, though he had all things: Such a garment of flesh as he can no more put off now, than he can his Godhead. *Stradlin's Sermons*, p. 8, 9.

Q. What did they do under the Old Testament to obtain the prophetic spirit?

A. They made use of wine, among other bodily helps, to obtain the prophetic spirit. *Dodw. de Jure Laic. Sacerd.* p. 359.

Q. What are the proper means for understanding the prophets?

A. The rules of the heathen for interpreting their divinations are the proper means for understanding the prophecies, which would have been for the most part unintelligible without them. *Dodwel's second Letter about going into Orders*.

Q. What opinion have you of the book of the Revelation?

A. It is a mysterious, extraordinary, and of late much studied book; and which perhaps the more it is studied, the less it is understood, as generally finding a man cracked, or making him so. *South's Sermons*, vol. II. p. 467.

Q. How came St. Paul to be for the Doctrine of Predestination?

A. He borrowed his notion of it from the Pharisees with whom he was educated; and they from the Stoics. *Dodw. Proleg. ad J. Stern, &c. Sect. 4.* p. 147.

Q. What opinion have you of the liturgy of the church of England?

A. Not a tittle of it but was by the dictate of the Holy Ghost; and I should think myself accursed if I were not able to maintain it. Blame not my holy zeal if I do vindicate that saving book against the schismatics greatest exceptions—Certainly therefore blessed are they which die in maintaining that service-book, which can without contradiction father the very ceremonies of it on the Holy Ghost. *Dr Swadlin's Sermon, &c.* p. 149.

Q. What notion have you of God?

A. That he is as it were the pupil of the clergy. *Dodwel's Vindic. of the Def. of the deprived Bishops*, § 34.

Q. What is most true of God?

A. That which seems the most impossible to us. *Beveridge's Thoughts*, p. 52.

Q. Why do you believe God to be infinitely merciful?

A. Because if he was not infinitely merciful, the dissenters crude, affronting, extemporary effusions, the sacrifices of fools in the double sense of the word, were sufficient to blast the success of her majesty's arms, and obstruct those blessings God has bestowed on her. *Sacheverel's Rights of the Church of England, in the Remarks*, p. 10.

Q. What think you of the dissenters?

A. They are hardened in their sins beyond the power of grace and repentance. *Ibid.* p. 33.

Q. Do you believe the doctrine of original sin?

A. Yes; because I must of necessity believe it, whether I will or no: For if I could not believe it, I should have the more cause to believe it. *Bishop Beveridge's Thoughts*, p. 56.

Q. What think you of the incarnation?

A. It is as it were to cancel the essential distances of things, to remove the bounds

of nature, to bring heaven and earth, and which is more, both ends of a contradiction, together : Were it not to be adored as a mystery, it would be exploded as a contradiction. *South's Sermons*, vol. III. p. 370, 316.

Q. What must we think of God's election, or choice ?

A. God, who judges what is good and best unerringly, does not always chuse the best. *Nye's System of Grace and Free-will*, a visitation sermon.

Q. Why did God chuse the Jews to be his peculiar people ?

A. God seemed to have espoused to himself the Jews, a cross, odd, untoward, sort of people, upon the very same account that Socrates espoused Xantippe, only for her extreme ill conditions above all he could possibly find or pick out of her sex. *South's Sermons*, vol. I. p. 539.

Q. Is actual mortality a benefit ?

A. Yes ; but I do not allow the benefit of actual mortality to any who have read Mr Dodwel's book. *Preliminary Defence of his Epist. Dis.* p. 14.

Q. Are we to offer up prayers for the dead ?

A. * There is the same ground for those prayers, as for our common Christianity : We believe those prayers are accepted, which desire God to hear the saints for us, to send the deceased in Christ a good trial. † The patriarchs, prophets, apostles, martyrs, and even the blessed Virgin herself, are now in slavery to the devil, and may be relieved by the prayers of the living from their disquietudes. * *Hickes's Appendix to his Two Treatises*, p. 293, 294. † *Dodwel's Epist. Discourse*, p. 257, 258.

Q. What is the principal end of the institution of the sacrament of the Lord's Supper ?

A. The preservation of the priest's authority. The reception of the elements is no otherwise necessary to the remission of sins, than as it obliges us to depend on the consent of the priests, who alone can give us those elements, and who alone can oblige God to ratify in Heaven what is transacted by them on earth. *Dodwel's Premonition to his Epist. Discourse*, p. 66.

Q. What ought the clergy to study ?

A. To be skilful confessaries, to know when and how to use the power of remitting and retaining sins. *Hickes's Preface to his Two Treatises*, p. 240.

Q. Can the priests then forgive sin ?

A. The priests have power not only to judge when we are clean, but to put away our uncleanness ; as lords forgive debts of money, so they forgive debts of sin. *Hickes's Two Treatises*, p. 118, 209.

Q. May I be saved by the absolution of a priest ?

A. Heaven itself waits the sentence from a priest's mouth, and God himself follows the judgment of his servant the priest. *Sparrow's Sermon of Absolut.* p. 15.

Q. Can I think too highly of this power ?

A. All indifferent judges must prefer the power of obliging God to open and shut Heaven's gates, before a thousand kingdoms. *Dodwel's Parænesis*, p. 222.

Q. What other powers belong to a priest ?

A. Every priest is one of the principal ministers in God's kingdom, to preside in his worship, publish his laws, pass his pardons, and represent his person. *Collier's View of the Immorality of the Stage*, p. 127.

Q. What is your notion of a priest ?

A. He is an advocate, mediator, intercessor, negociator, representative, vicegerent ; mandatory interpellant between God and man, in their spiritual addresses to, and negociations one with another : He stands and acts as mediator between both parties, as it were in the middle line of conversation, and in the very centre of communication between them : He is, properly speaking, *Moul le gnam Haeloim*, and *Moul lelohim ha gnam*. *Hickes's Two Treatises*, p. 16, 17.

2. Is Christ our only advocate in Heaven?

A. No: We may retain blessed advocates in Heaven, to plead in our defence. *Sacheverel's Fast-Sermon*, at Oxford, June 1702, p. 14.

Q. Who has greater power, a priest or an emperor?

A. The priesthood is a princely power, greater and more venerable than that of the empire. There is the like difference between those two powers, as between little boys acting the parts of magistrates, and magistrates themselves; and the spiritual government is much more excellent than the civil, as Heaven is than earth, yea much more so: The priests, as if they were translated into Heaven, made something above men, and, exempt from human affections, are advanced to this princely power. *Hickes's Two Treatises*, p. 208, 209, 210.

Q. You have given us a just account of the honour that is due to a priest by high-church principles, pray let us know how a bishop is to be honoured?

A. Let the bishop be honoured among you as God. *Ibid.* p. 201.

Q. Is the bishop accountable to any mortal?

A. He who makes himself judge of the bishop, makes himself judge of God. *Ibid.* p. 214.

Q. How great ought the revenue of a priest to be?

A. If they administer so many things to a king, who administers peace and war, for bodily safety, ought they not to administer more liberally to him, who, administering the priesthood towards God, secures both body and soul by his prayers? *Ibid.* p. 201.

Q. Who is guilty of the greatest treason, he who resists a king, or he who resists a priest?

A. A priest, no doubt; for as the priesthood is more excellent than the kingly office, so is he more worthy of greater punishment who dares move his eye against it. *Ibid.*

Q. Why would you be rather prayed for by a priest, than any other person, though ever so holy?

A. Because the prayer of a priest for the people, or for any single person among them, though, like Abraham, he may be a temporal prince, is the authoritative prayer of a superior for an inferior; besides he prays as a liturgy, and the mouth of the whole congregation, yea of the whole catholic church. *Ibid.* p. 122, 124.

Q. Is a priest never absent from his flock?

A. He is supposed to be always present among his flock in person or in spirit. *Ibid.* p. 124.

Q. What would be a proper work for the convocation?

A. To revise the catechism of the church, and to make additions. *Nelson's Preface to Fasts and Feasts*, p. 17.

Q. What additions are necessary to be made?

A. Some relating to the authority of the clergy. *Ibid.*

Q. What is the advantage which may be made of this?

A. That in the next generation we may retrieve that respect to the priesthood which we want in this. *Ibid.*

Q. And what respect is that?

A. That even kings and queens are to bow down to thee (the priest) with their face towards the earth, and to lick up the dust of thy feet. *The Case of the Regale*, p. 26. first edit.

Q. What power does the Scripture allow kings and queens in church-matters?

A. Their office is an office of servitude, and not of authority; and the king is only the church's nurse's husband, whose office it is to carry the child (high church) in his arms, or on his shoulders. *Ibid.*

Q. Why may not a layman be allowed more chaplains than one?

A. Because no man can serve two masters. *Ibid.* p. 194.

Q. May a layman say "my chaplain?"

A. The expression is proper enough to say "my chaplain," as I say "my king" or "my God." *Case of the Regale*, ed. 2. p. 182.

Q. What think you of the oath of supremacy?

A. It is not an oath of fidelity to the king, but of unfaithfulness to the church. *Appendix to the Rights of God's Church on Earth*.

Q. What opinion have you of the oath of supremacy, as it is explained by the thirty-seventh of Henry VIII. an act now in force?

A. It is an extravagant and impious notion. *Doctrine of the Church of England, as to the Independency of the Clergy*, sect. 15.

2. What think you of the twenty-sixth of Henry VIII. ch. 1. which declares the king or queen to be supreme head on earth of the church of England?

A. I think that Henry VIII. triumphed in his new title, making an inscription of it in letters of Greek, Latin, and Hebrew, as Pilate did that over our Lord upon the cross, "This is the King of the Jews." I never yet heard any man talk of this medal, but who made this observation, that King Henry crucified the church. as Pilate did our Saviour, with the solemnity of three inscriptions. *Hickes's Two Treatises*, p. 241.

Q. What are the sentiments of the clergy as to the regal supremacy?

A. The high-flying clergy, who are for allowing the prince an unlimited power in civil matters, have left out of the prayer before their sermons these words, which, by the fifty-fifth of King James's canons, they are obliged to use, viz. "Under thee and thy Christ, over all persons and all causes, as well ecclesiastical as civil, supreme moderator and governor."

Q. What think you of the king's nomination of bishops, and of the power the laws allow him over the convocation?

A. It is reasonable that the church should have the nomination and deposing of kings, and that no parliament should meet or transact any thing relating to the civil government of the nation, without licence obtained from the bishops. nor enact any thing but in the bishops' name, and by their authority. *Case of the Regale*, p. 11, 12.

Q. Then the 25th of Henry VIII. chap. 19. will not go down with you?

A. (a) It is sufficiently known how the church has groaned under this prerogative act of the letter missive: The best churchmen ever since have complained of it, as a mighty grievance and burden. (b) The synodical submission, as it was violently extorted from the clergy, and unfairly represented in the preamble of that statute, so it is of no doctrinal force against the powers hierarchical; and therefore our (the clergy's) continuance in, and under that submission, is not to be attributed to any principle of conscience, but either to prudent patience or cowardly fear. (a) *Sacheverel's Character of a Low Churchman*, page, 29. (b) *Archdeacon Hill's Dialogue*, page 6.

Q. What opinion have the clergy of this and other laws made in Henry VIII.'s reign, relating to the regal supremacy?

A. The generality of the clergy, not only seeing in theory, but feeling by experience, the great inconvenience of them, have of late expressed their desire of their repeal or emendation. *Ibid.* page 3, 4.

Q. Who are they that are against repealing those laws, relating to the church?

A. All the tolerated dissenters, socinians, deists, atheists, to the utter crucifixion of Christ and his church. *Ibid.* p. 5.

Q. Does the magistrate gain or lose by turning Christian?

A. The magistrate rather loses than gains by his conversion, because he is to be admitted into the church on the bishop's terms, and as a private person, and bound to obey church-laws, made by the ecclesiastics, and to submit to the bishop as head of the church, and supreme unappealable judge in spirituals, and therefore to abide his

sentence, which in some cases may proceed to excommunication. *Vindic. of the Defence of the deprived Bishops*, p. 54, 57, 58, 59.

Q. Has any bishop any such power in England?

A. There is a common slavery upon the hierarchical powers. *Municip. Eccl.* p. 121.

Q. Is it possible for the state to have power in church-matters?

A. It is an impossibility and contradiction for any state to have authority over the church within their dominions in ecclesiastical matters; and the consequence of this must be, to root up all religion from the face of the earth. *Case of the Regale*, p. 132. Nay, the king has no more power over the church, than the boy that rubs my horse's heels. *Vid. the 19th Article of the Commons Impeachment of Dr Cosins, in Rushworth Abridged*, vol. iii. p. 384.

Q. Can the prince safely exercise his supremacy?

A. Can a claim of an oppressive supremacy, be deemed a glorious jewel in a Christian crown, which, if exercised, must of necessity forfeit the king's salvation? And it is a dangerous complaisance in priests, to plead for such an ambition, as may end in the ruin of the church, the priesthood, and the soul of the prince. *Municipium Ecclesiasticum*, p. 122.

Q. What would the consequence be, should we not allow synods to have a divine right?

Q. The not defending the divine right of synods will be the utter extirpation of all religion out of the world, and therewith an extirpation of the priesthood. *Preface to the Defence of Municip. Eccl.*

A. Are the clergy bound to defend the regal supremacy over the convocation, to the time of its sitting?

A. Could such a fine point be made out, yet surely it does not become a clergyman to help such a point forward: Let us leave that dirty work to be done by the professed enemies of religion and the order; but let not the hands of Levi be employed in it. *Atterbury's Rights of Convocat.* p. 38.

Q. Are the laity in a controversy of religion to pay a blind obedience to their clergy or church?

A. The church has power to declare her own sense in the controversy, and to determine which part shall be received and professed for truth by her members.—The sentence shall bind to submission, though the superiors may err in the sentence. *Sparrow's Preface to the Canons, Articles, &c.*

Q. Have the clergy a power to determine for the laity, when they shall eat, and when not; or when they shall work, and when not; and what clothes they shall wear?

A. It is a question of fact whether the governors of the church have a power to appoint times of abstinence and fasting, and of appointing holidays; and in some cases, of giving orders about clothes or not: And I think I shall be able to prove that she has such a power, and particularly as to clothes. *Hickes's Preface to Two Treatises*, p. 92, 93.

Q. What, has the church or priest power in civil matters?

A. There are neither things nor persons exempt from the power of the church. *Wolf script*, part 2. p. 33.

Q. What opinion ought we to have of the first reformers?

A. When they abolished the mass, they took away all good order, and, instead of reformation, made a deformation. *Eleventh Article of Dr Cosins's Impeachment in Rushworth Abridged*, vol. iii. p. 383. And the two kings (Henry VIII. and Edward VI.) set themselves in the throne of our Lord; and the bishops of the church of England, in those two reigns, gave up the cause of Christ and his church, for which they ought to have died martyrs. *Hickes's Two Treatises*, p. 243, 244.

Q. What think you of the martyrs in Queen Mary's days?

A. They were schismatical heretics, factious fellows, traitors, and rebels, condemned by holy church. *Dr Pocklington's Altare Christianum, licensed by Archbishop Laud's Chaplain*, p. 92. for which both the chaplain and the doctor were censured by the lords. *Rushworth Abridged*, vol. iii. p. 374.

Q. What think you of the reformation abroad?

A. They in Sweden pray not only for the church in general, but the clergy before the king: But the king in our liturgy is thrust in between the church and the bishops, upon the notion, I suppose, of his being head of the church; and the whole royal family are drawn in after him, as being heads in reversion. We improve, and seem to take care, in the first place, of our bodies before our souls, and for this world more than eternity: But they retain the primitive form in Sweden; they reform not backward.

Case of the Regale, ed. 2. p. 28.

Q. What is your opinion of schism?

A. It is the sin against the Holy Ghost. *Dodwel of Separation*, chap. 14.

Q. What notion have you of the church of Rome?

A. That it is not only a true (*a*) church, but that it has (*b*) glaring advantages which other churches want. (*a*) See all high-church writers from Laud down to Hickes. (*b*) *Hickes's Preface to the reformed Devotions*.

Q. Do you believe the national church of South Britain to be a true church, as well as the church of Rome?

A. Our thirty-nine articles hereto annexed, affirm they are all in a schism, and out of the church; and the prayers of her clergy are sins, and their sacraments sacrilege. *Article 39*.

Q. What opinion have you of the national church of North Britain?

A. Such a church I think altogether as unworthy of the name of a church, as a band of rebels in any country, who had overthrown the civil constitution of it, would be of the name of a kingdom, state, or republic; because such a pretended church is not only a variation from the catholic apostolic church, but a sworn destructive confederacy against it, even the abomination of desolation, in the house or kingdom of God; of which their pastors are not ministers, but by principle most malicious enemies; not pastors, but wolves of the flock. *Preface to Hickes's Two Treatises*, p. 200.

Q. What opinion have you of the popish doctrines of confession and prayers for the dead?

A. I agree with Sheldon, Archbishop of Canterbury, and Blandford Bishop of Worcester, who were of opinion (as the late Duchess of York said in her reasons for turning papist,) that there are many things in the Romish church which it were very much to be wished we had kept, as confession, which was no doubt commanded by God: That praying for the dead was one of the ancient things in Christianity; that for their parts, they did it daily, though they would not own it. And one of them said, if he had been bred a catholic, he would not change his religion. *History of England in folio*, vol. iii. p. 293.

Q. What think you of the papists hindering the laity from reading the scriptures?

A. The promiscuous licence which the protestants give to all sorts to read and interpret scripture, is more prejudicial, nay pernicious, than the over-rigorous restraint of the Romanists. *Archbishop Bramhall's Vindication of himself and the episcopal Clergy*, p. 117.

Q. What is your opinion of the inquisition?

A. Till now I never understood the reason of the policy and prudence of the Spaniards, in suffering the inquisition amongst them; and certainly it will never be well with us, till something like to the Spanish inquisition be in England. Howel, Recorder of London, in the trial of Penn and Mead, at the Old Bailey, 1670. Vid. first volume of the Phoenix, p. 319.

Q. What opinion have you of unwritten tradition?

A. Some of the ordinances observed in the church we have taught us in express words of scripture, and some we have received as delivered in secret by tradition from the apostles; both which are of like use unto godliness: For if we attempt to lay aside the unwritten customs and usages of the church, as not being of great moment, we do not know what harm we shall do the gospel by our imprudence; in all probability we shall thereby reduce the preaching of it to an empty name. *Hicke's Two Treatises*, p. 51.

Q. What opinion have you of the Gallican church in which he who is called the Pre-tender is educated?

A. They have limited the supremacy of the pope to the constitutions of their own national church; and if they keep as clear of the regale, their reformation will exceed ours. *Case of the Regale*, ed. 2. p. 258, 265.

Q. Why don't you unite then with the Gallican church?

A. The English convocation not being suffered to sit while that of France lasted, rendered any treaty between them impracticable. *Ibid.* p. 263.

Q. Have you as good an opinion of the English papists as of the French papists?

A. The generality of the Roman Catholics in England are of the same sentiments with the Gallican church, concerning the supremacy of the papal see; and it is the papal supremacy alone which stands in the way, to oppose such a glorious re-union. Let the pope confirm the decrees of the national council of France in 1682, and I dare say, we shall not long quarrel about his supremacy. *Ibid.* p. 258, 260, 262.

Q. Which is worst, the papal or the regal supremacy?

A. I shall only tell you that the usurpation of the pope on the episcopate made the Bishop of Spalato come over to England; but, finding here a more heterogeneous erastianism, he returned. *Ibid.* ed. 1. p. 142.

Q. What was the reason it proved so hard a task to keep our kings from running over to popery?

A. They had rather submit themselves, though with hazard of their crowns, to a foreign bishop, who asserted a superiority over them both in temporals and spirituals, than to have no bishops at all to be subject to even in spirituals; which is indeed to be quite out of the church. *Ibid.* p. 133.

Q. Why do you reckon Charles I. to be a martyr?

A. Because he set himself for the rescue of the church, from the encroachments of the secular court and erastian laws. *Ibid.* ed. 2. p. 131.

Q. Was there any crime greater than Lucifer's rebellion against God?

A. The fact of forty-eight was going beyond Lucifer in his own way of pride and insolence. *Bink's 30th of January, Sermon to the Convocation*, p. 15.

Q. What character does Archbishop Laud give Charles I.?

A. That he was a gracious prince, that knew not how to be or be made great; and trusted false, cowardly, and perfidious men. *Laud's History of his Troubles and Trial*, p. 178.

Q. What is your opinion of Charles II.?

A. That he was the first-born of Japhet, the eldest son of Noah, and therefore, by right, heir to all the world. *Evans's Light for the Jews*, p. 20.

Q. What belongs to the office of a king?

A. As he sees the clergy come nearer the altar than others, so he is to remember that in all places convenient, he gives them greater honour; that mediator of God and man may establish him in the kingly throne, to be a mediator between the clergy and the laity. *Exhortation, drawn up by Laud and three other Bishops, to King Charles I. at his Coronation, in History of England*, vol. III. p. 13. *Heylin's Life of Laud*, p. 135, 136.

Q. Do the clergy turn themselves into ridicule?

A. Yes, by their being a well-powdered clergy. Alas, sir! do these men think to convert souls, or can they imagine the people think that they themselves really believe what they preach, when they look more like the vainest of laymen than priests? *Hickes's Two Treatises*, p. 132.

Q. What think you of the clergy that swore to the government contrary to their consciences?

A. They who comply with the government, and yet retain their old principles, are far the best, the wisest, the honestest, and most numerous of all the clergy. *Preface to the Remarks on some late Sermons*.

Q. What do you mean by retaining their old principles?

A. I mean by helping to support the Jacobites, honouring them in their hearts, being zealous for the royal family, and watchful for the times of healing and refreshing, when they may come again to communion with them under their rightful bishops. *Preface to some Discourses on Dr Tillotson and Dr Burnet*.

Q. What reflections would a man be tempted to make on the clergy's coming into the government at the revolution?

A. By their conduct one would be almost tempted to look on all religion as a mere cheat, and to believe that they themselves owned no God. *Loyal Martyr vind.* p. 36.

Q. What do the clergy believe at present?

A. I know not, but they must be brought to believe at last, that God is stronger than the Devil. *Preface to the Case of the Regale*, p. 22.

Q. Do the clergy any way gratify the Deists?

A. The deists of this age must needs be pleased to see what use we (the clergy) make of revealed religion, or rather how shamefully we abuse it. *Dr Edwards's brief Remarks on the Archbishop of Dublin's Sermon*, p. 23.

Q. What must we think of the low church?

A. That they are trimming villains, who are not, and by their principles are obliged not to be Christians. *Sacheverel's Character of a Low Churchman*, p. 21.

Q. If the church be in danger, from whence comes it?

A. Why from our going off from our old principles, and shuffling with our consciences; our trifling with our oaths, and bringing down the high and holy name of God, to our own vanity, to secure our present little inconsiderable interest. *Assize Sermon, before the University of Oxford, July 19, 1705. preached by Mr Tilly, Fellow of C. C. C.*

Q. Pray repeat the scale of sinners.

A. The Jew crucifies his Saviour, the Socinian and Mahometan ungod him, the Papist devours him, the Calvinist believes God from all eternity to reprobate the whole world but himself and his brethren; but an English fanatic, the greatest monster of them all, rends the church into schism, anathematizes bishops, sets up lay-elders, and occasional conformists. *Sacheverel's Sermon at Oxford, 1704.* p. 50.

Q. What think you of a rich citizen?

A. That there is no plague in the church comparable to a rich citizen. *Bishop Parker*.

Q. Is it lawful for laymen to keep those lands that in popish times were dedicated to superstitious uses?

A. No; for there lies a heavy curse on the nation, which cannot be removed without restitution of what we have robbed from God. *Essay of Tithes*, p. 227.

Q. But is it no better they should be in the hands of lay-protestants, than of monks and friars?

A. The scandalous and sacrilegious impropriation of tithes made by the popes were worse diverted by those who should have restored them. *Dissert. conc. Eccl. Hist.*

Q. Is the crown a gainer or a loser by these lands?

A. So much has the crown gained by the accession of sacrilegious wealth, as from imperial dignity and propriety paramount in all the lands of England, to become an honourable beggar for its daily bread. *Essay of Tithes*, p. 160.

Q. Is it lawful for the clergy to recede from a doctrine they have long taught, particularly that of passive obedience?

A. What a guilt as well as disgrace would it justly devolve upon the clergy, to recede from any principle of our excellent church; especially from what has been so long retained and boasted of, as its peculiar character. *The Speech spoke by Dr Sacheverel*, p. 6.

Q. What ought every one to do that wishes well to the church?

A. Every one that wishes it well, ought to hang out the bloody flag and banner of defiance against the dissenters. *Sacheverel's political Union*, p. 23.

Q. May one talk inconsistently for the good of the church?

A. Yes, in one sermon I may say, that the cry of popery has been always the trumpet to all the sedition and rebellion that ever infested the nation; and that it is a party word, to exasperate and frighten the rabble with groundless jealousies and fears. *Sacheverel's Oxford Assize Sermon*, p. 36. ed. 2. And in another sermon I may say, that the Roman catholic agents and missionaries swarm about this great city, and debauch the subjects in every corner. *His Sermon at St Paul's, November 5, 1709*, p. 18.

Q. What are damnable sins in politics?

A. To preclude the next heir from his right and succession to the crown, and to affirm that the sovereignty of England is in the three estates, viz. king, lords, and commons. *Decree of the University of Oxford against pernicious Books, damnable Doctrines, &c. now ordered by the Lords to be burnt by the Hands of the common Hangman*.

Q. Have the lords and commons any share in the making laws?

A. Yes, as much as a beggar has in my alms. *Bishop Womack's short Way to a lasting Settlement*, p. 24.

Q. Is there no difference between true-born Englishmen and Turkey slaves?

A. All subjects must be slaves as to the particular of their lives and liberties; and the doctrine of the bow-string is declared by act of parliament. *Hickes's Jovian*, p. 219, and 242.

Q. What, is it lawful to resist on no account whatever?

A. No, it is not lawful to resist for the maintenance of the lives or liberties of ourselves or others; no, not for the defence of religion, no, nor for the preservation of a church or state; no, nor yet, if that could be imagined possible, for the salvation of a soul; no, nor for the redemption of the world. *Bishop Sanderson in Sacheverel's Collection of Passages*, p. 6. folio.

Q. Which is the best way of supporting this doctrine of passive obedience?

A. To raise a popish and Jacobite mob, and pull down meeting-houses; and then charge it on the dissenters, as we did the popish plot and the burning of London.

Q. What opinion have you of the dissenters loyalty?

A. They think to carry every thing by factious caballing, both at home and abroad, by bribery, subornation, and everlasting lying, (their great *arcana imperii* and mysteries of state) and to bear us down by their impudent boasting of the number of their legion, who are always ready, at the watch-word and signal given, to mob the house of commons, assassinate her majesty, and join with any foreign enemy to invade the kingdom, and subvert our church and government. *Sacheverel's Rights of the Church of England*, p. 6. of the Remarks.

Q. How could the high-church clergy on their principles withdraw their allegiance from King James, declare King William to be rightful and lawful king, abjure the Pretender, and swear to the present government and protestant succession?

A. Egad, sir, I shall tell you plainly, that I am not at leisure, nor shall not be at leisure, nor want to be at leisure, to say one word to you about this matter. *Powel's Letter from the Bath, for the Information of his Puppets.*

Dr Hickes's Thirty-nine Articles.

I.

First I affirm, that the catholic church is the¹ kingdom of God, as it is called in scripture; as also the city and house, that is, the family of God. It is also called a² polity or commonwealth of Israel, and the body of Christ, to signify unto us, that it is a spiritual society and incorporation, whereof all Christians are members.

II.

That this spiritual kingdom or incorporation, had a being in the world, independent on the secular power, for above three hundred years before the government of it was interwoven with the secular government and laws.

III.

That Christ is the king of this spiritual kingdom and head of this spiritual incorporation, and the³ bishops his chief ministers and vicegerents; to whom, in their respective jurisdiction, he requires obedience from all his subjects, of what temporal quality or degree whasoever.

IV.

That for this reason the church, or incorporate body of Christians, is said to be a⁴ royal priesthood, or kingdom of priests; and our priests, I mean our chief priests, are for the same reason said to be regal priests, or kings as well as priests unto God.

V.

That every diocese and province in the catholic church, is a part of this kingdom, or members of this particular incorporation.

VI.

That the government of dioceses, or particular districts of this incorporation, is single and monarchical; but the government of provinces, and of the whole corporation, commonly called the catholic church, is collegiate, with respect to the several bishops who are fellows, or lawfully colleagues in the sacerdotal power under Christ, the high-priest of the catholic church.

VII.

That these are colleagues, or fellows in the sacerdotal power Christ hath committed to them: And all are bound to maintain correspondency or communion with one another, and to ratify one another's acts.

VIII.

That what is done by one of them, admitted into the spiritual corporation, or excluded from it by any one of them, is admitted and excluded by all.

¹ St Mat. xvi. 28. St Mark ix. 11. St Luke ix. 27. 2 St Pet. i. 11.

² Rev. xxi. 2. Gal. iv. 26. Ephes. ii. 19. Heb. iii. 6. Colos. i. 18.

³ St Mat. x. 40. St Luke x. 16.

⁴ St Pet. ii. 9. comp. Exod. xix. 6.—*Orig. Notes.*

IX.

That men become subjects of this kingdom, or members of this spiritual incorporation by baptism; and that all emperors and kings, whether absolute, or limited in the exercise of their regal power, become subjects of it by baptism, as well as other men.

X.

That men, not as men, but as Christians, are subjects of this kingdom, or members of this spiritual incorporation.

XI.

That all Christian emperors and kings, as well as others, cease to be members of this corporation, or subjects of this kingdom, by lawful excommunication, apostacy from Christianity, heresy, or professing doctrines destructive of the catholic faith; as also by schism, which, in the church-subjects, consists in withdrawing their subjection and obedience from their rightful bishops; and in bishops or church governors, in refusing or breaking off communion and correspondence with their rightful fellow-bishops, without cause, or by invading one another's spiritual rights, contrary to the fundamental laws of the sacerdotal or episcopal college, and that spiritual union, wherein the polity of the sacerdotal college, the being and well-being of the church, as a society, doth consist.

XII.

That as when differences and divisions are in any civil corporation, the true corporation is in the rightful head, and the members that adhere to him; so in every diocese the church is in the rightful bishop and his flock, though never so small in number: And in every province, the episcopal colleagues are in the rightful primate, and those bishops and their flocks that adhere to him; so in every diocese, the church is in the rightful bishop and his flock, though never so small in number; and in every province, the episcopal college is in the rightful primate, and those bishops and their flocks that adhere to him.

XIII.

That all the promises of the gospel are made to Christians, as actual members of the church: And as no man, how eminent soever for personal virtues, can in the ordinary way of salvation claim the benefit of them, before he is a member of the church, so no man, who by any act of his own, or of his rightful bishop, ceases to be a member of it, can lay any claim to them, or any of them, not so much as remission of sins.

XIV.

That all Christians, emperors, and kings, as well as others, who adhere to unlawful usurping bishops, and join in communion with them, do, by their schismatical adherence, cut themselves off from the church, that is, the body of Christ; and so, by their own act and deed, cease to be members of that spiritual corporation; and are no longer in, but out of the church (which is the body of Christ) and so remain, as long as they continue in the schism.

XV.

That in all controversies about right amongst bishops it is the duty and eternal concern of Christians, as Christians, to enquire into the titles of the contending parties, and to be as faithful to the rightful bishops, as temporal subjects, by the temporal laws, ought to be to rightful kings.

XVI.

Emperors and kings get nothing by baptism, or becoming Christians, more than other men, but a stronger obligation to defend the church of Christ, and all its rights; and particularly the polity or government of it by the royal priesthood of bishops, without which it cannot be a church.

XVII.

That it is one of the principal rights of the church, for the bishops, or reg^{al} priests of it, as to constitute, so to deprive one another by their collegiate spiritual power.

XVIII.

That baptized, or Christian emperors and kings, and the states of their empires and kingdoms (if Christians) are equally subjects of the church, and have the same obligation of subjection and obedience to the sacerdotal power, or bishops within their own dominions, as in any other part of the catholic church.

XIX.

That the regent, or sacerdotal college of the church, loses nothing of the power, authority, or jurisdiction, or other rights it hath from Christ, by the state's turning Christian, or by the union of the church with the state.

XX.

That this union with the church and state, or of the spiritual with the temporal sovereigns, and the interweavings of the one with the other, are *ipso facto* unweaved, when the state persecutes the church.

XXI.

That the state as truly persecutes the church, when the temporal persecutes the spiritual sovereigns, and those that adhere to them for any moral duty, as for truth, righteousness, and the common faith of mankind, as when they persecute them for professing any article of the Christian faith : And more especially it is a most grievous persecution of the church, when the temporal drive the spiritual sovereigns from their flocks, for adhering to them.

XXII.

That nevertheless it is the indispensable duty of their flocks to adhere to them, as their rightful bishops and confessors, and to separate from the communion of those who usurp their thrones, though they suffer death for so doing ; as, in times of controversy between the rightful and usurping bishops, many faithful Christians of all ranks have done.

XXIII.

That the union or interweaving of the civil with the ecclesiastical laws and government, gives the state no more right, or pretence of right, to usurp it over the church, or invade its spiritual rights, than the church to usurp over the state, or to invade its temporal rights.

XXIV.

That the state usurps it over the church, and plainly invades its rights, when the temporal pretend to deprive the spiritual sovereigns, and dissolve that spiritual union, that is between them and their flocks.

XXV.

That in a mixture or intermixture of the civil with the ecclesiastical laws and government in a Christian state, every Christian subject (the king not excepted) ought to distinguish the rights of the one from the other, especially in times of controversy between them ; and to give to the church, or spiritual sovereigns, the things of the church ; and to the state, or temporal sovereigns the things of the state.

XXVI.

That the best and surest way for any Christian prince or subjects to know what

things belong to the church, is, to enquire what power, authority or jurisdiction and rights, the ancient priesthood, I mean the apostles, and their successors the bishops, claimed and exercised, not only without, but against the consent and commands of the secular potentates, before the union with church and state.

XXVII.

That when the state invades the rights of the church, all Christian people, as Christians, or spiritual subjects to the royal priesthood, are bound to defend the rights of the Christian church, and the bishops of it, which are their own Christian rights, against the state, as much as they are bound, under the relation of temporal subjects, to defend the rights of the state, which are their own civil rights, against the church, when she invades them.

XXVIII.

That the safety and security of the church, as a society or corporation, and of the Christian faith, which committed as a trust unto it, as such, consists in the people's faithful adherence to all the rights of it; but more especially, in adhering to the rightful bishops against the intruders, how numerous soever, and never forsaking their fidelity and obedience to the rightful bishops, howsoever persecuted or oppressed.

XXIX.

That all emperors and kings, as well as others, forsake rightful bishops, and their fidelity and obedience to them, who set up usurpers in their thrones, or who uphold, maintain, and defend them who are so set up, or who own their pretended authority, by submitting to their jurisdiction, or living in communion with them.

XXX.

That a Christian emperor or king, or sovereign Christian state, though they may have more power and opportunity, and greater temptation, yet have they no more right or authority to invade the rights of the church in their own dominions, than in any other part of the catholic church.

XXXI.

That the regent, or episcopal college, in consideration of protection from a Christian state, may, in some cases, modify the exercise of her just power, and make some grants and concessions to the state, upon promise and in trust and confidence that they will not be abused or turned to her hurt or prejudice; as not to call synods, without acquainting the king, and obtaining his leave, if possible; not to make foreigners, or clerks of foreign allegiances, bishops; to make no bishops, but persons supposed to be worthy, and duly qualified, of the king's nomination; to grant builders and endowers of churches the honour and privileges of presenting worthy clerks to serve the cures of them, and their families; not to instance in many more things of the like nature, wherein concordats have been used to be made between church and state.

XXXII.

That the church regent, or episcopal college, is bound to resume these grants, and concessions, and concordats between them, when the state abuses them knowingly and wilfully to the mischief of the church; e. g. As to the bringing in and promoting of idolatry and heretical doctrines; to the making and fomenting of divisions and schisms; to the invading of sacerdotal powers, rights, or functions; or robbing the priests of their tithes, or any other way; to the apparent ruin of the church, as by abolishing the priesthood in either, or both the orders thereof.

XXXIII.

That for want of knowingly and duly considering these things, many Christians, to the great peril of their souls, have taken the wrong side with the church, against the state in the Roman pale, and with the state against the church, in these three kingdoms, and other reformed countries; particularly, in this kingdom, many false, unchristian maxims, prejudicial to the character of the episcopal college or our high-priests, extremely hurtful to the church, and detrimental to the Christian religion, which are received for law, and lawful, which ought not to be so in any Christian state. Such as these that follow: That patronage, or the right of presenting clerks to cures, is a lay-fee: That tithes and offerings may become lay-fees: That bonds of resignation are lawful: That the king is supreme ordinary: That canons made by the church regent, or episcopal college, oblige not Christian people in conscience, without or against the king's consent; and that they ought not to be received by them as canons, or spiritual laws of the church, without his leave, or an act of parliament: That kings, though subjects of the church, as well as other men, ought not to be excommunicated, how wicked soever they are: That a king, by an act of parliament, may deprive bishops, and dissolve the relation between them and their flocks. To this I may add, the writ of *quare impedit*, founded upon the first of the former false maxims; the ill use of prohibitions; the last appeal or resort of our church in spiritual causes; the unchristian acts of parliament, touching the election and consecration of bishops, &c. which, I think, I am able to shew, have been the natural, as well as judicial causes of all the miseries in the church and state among us for many years; and of the great atheism, deism, or unbelief of revealed religion, contempt of the priesthood, even of the royal priesthood itself; scepticism or indifferency in religion; together with all the heresies, schisms, immoralities, and height of profaneness, that now overflows the land. I could give other instances of false unchristian maxims, and unrighteous laws, usurpations, which have almost quite destroyed the power and authority of the episcopal college, and with it the discipline of the catholic church of England; which, by the first article of *Magna Charta*, as well as by Christ's laws, ought to be free. But instead of enjoying her freedom, her own sons have made her a slave, to the great decay of Christian faith, and the great dishonour and contempt of Christ; from whom our high-priests claim all their spiritual rights; under whom they are supreme over the church, which Christ hath purchased with his blood.

XXXIV. That schism in the church, when it consists only in withdrawing our subjection and obedience from our rightful bishops, is the same thing in Christ's kingdom, or any part of it, as sedition in the state or kingdoms of the world. But when it comes to resisting and opposing the rightful bishop, or driving him out of his throne, and placing an usurper in it, then it answers to rebellion in both cases: It is the sin of Corah, Dathan, and Abiram in the ringleaders, though they be prelates, kings, or princes, and of their company in those that follow and assist them, and adhere to them, as hath been observed by St Clement and St Cyprian, and all the holy fathers that have written about schism.

XXXV. For Christian secular powers to drive rightful canonical bishops out of their thrones, by secular force, is plainly a dethroning of the spiritual sovereigns by the spiritual subjects; a driving away the shepherds by the sheep; the fathers by the sons; and by consequence, utter rebellion against Christ, as well as an outrage upon the rights of the church.

XXXVI.

This way of dethroning and depriving lawful rightful bishops, is in itself utterly null and void from the beginning, though done by lawful secular power, whose temporal magistrates may punish bishops as well as other subjects, by imprisoning, fining, or banishing of them, or by death itself; but they have no power or authority to deprive them indeed, no more than the bishops, as they are spiritual superiors, have to depose kings, though they may and ought, when it is requisite, to inflict spiritual censures upon them, as impose penances; suspend them from the sacrament; nay, even to excommunicate them, as well as other persons, when it is requisite for God's glory, the safety and honour of religion, and the preservation of the church. But here, to prevent misconstruction, it is to be understood, that such excommunications have no other than spiritual effects, and ought not to be drawn into any consequences against the king's temporal rights, or regal dignity and government.

XXXVII.

Bishops dethroned and deprived by secular powers, upon any pretence whatever, ought not to submit to such deprivations; because such submissions would be a giving up their authority and jurisdiction, which they derived from Christ alone, to the incompetent secular powers; a betraying their own order, and the rights of the episcopal college, and the defence of the church; which Christ, with all its rights, as well as doctrines, hath committed unto their charge and trust.

XXXVIII.

That it is the duty of the clergy and people to adhere to their bishops and confessors; but because such deprivations are null and of no effect, these bishops so deprived remain their bishops still; and as long as they remain their bishops, they cannot in conscience be discharged of their fidelity and obedience to them, howsoever oppressed by the secular powers.

XXXIX.

That the dethroning and depriving of rightful bishops, by the secular powers, for adhering to their Christian duty, is yet a greater sin, and also receives further aggravations, when those secular powers are not lawful, but usurping powers. Those priests, or bishops, who dare usurp the thrones of their fathers or brethren so unjustly, so illegally, so invalidly deprived, and driven from their thrones, are of all others the detestable usurpers, breakers of the most sacred bands of peace, amity, subordination, and charity, by which the kingdom and city of God doth subsist. They are Corahs, and princes of schism, from whom the Lord's people, by the laws of the gospel, and the doctrines of the catholic church, ought to separate at the peril of their souls. Their electors and consecrators are architects of the schism, and in the same degree of guilt with them. The rightful bishops, that join in communion with them, become colleagues in the schism, and forfeit their rights by so doing; those that are so consecrated and ordained by them, are continuers, supporters, and propagators of the schism, and partake of the same guilt with them. To conclude, as they are all in the schism, so they are all out of the church, and can perform no acts of priesthood, neither from men towards God, nor from God towards men, that are of any virtue or force. God ratifies nothing in heaven which they act in his name upon earth; he is not obliged to hear their prayers; the ministry can claim no benefit of God's promises; no, not of his assisting grace, nor of remission of sins, though they beg it at the sacrament, through the merits of Christ's blood. To be short, the prayers of such bishops are sin, and their sacraments sacrilege. And though they, or any that adhere to them, should die

martyrs in the schism, their martyrdom would not be accepted by God; they would lose the crown of glory promised to it.

Some necessary Considerations relating to all future Elections of Members to serve in Parliament, humbly offered to all Electors, whether they be true Sons of the Church of England, as by Law established, or modest Protestant Dissenters; to which is added, A List and Account of one hundred and sixty-seven worthy good Patriots, lately introduced in a scandalous Libel, commonly called the Black List. As also a List of two hundred and twenty-three honest Gentlemen, who signalized themselves in the Defence of the Rights of the Commons of England in the Point of Impeachments; with the Addition of a Preface in Answer to a Pamphlet called, A new Test of the Church of England's Loyalty, &c. By Dr Drake. 1702.

We have already seen Dr Drake figure as a Tory, or indeed a Jacobite pamphleteer. He here takes arms to defend the high-church party against the rough assault of Daniel De Foe, author of the *New Test of the Church of England's Loyalty*. See vol. ix. p. 569. The rest of the Tract relates to a pamphlet industriously circulated by the Whigs, under the title of *Black and White Lists*, in which the Tory members were classed under the former denomination, and held up to the suspicion of the nation as marked and dangerous characters.

The Preface.

If all mankind were wise and honest, an admonition from the press would be impertinent: But no age has yet deserved the compliment of having them thought so; and this (according to the vulgar notion of it) least of any. I have not, however, so ill an opinion of it as some splenetick writers would give me: I think it neither so wise nor so honest as it should be, and yet, perhaps, I think as well of it as of any that have gone before.

But of all the extravagant follies of this age, which are not a few, it is, perhaps, the most unaccountable, that while we pretend to more sagacity, and a sharper sight than our ancestors, we are daily bubbled by fools, and bantered by blockheads. I am afraid every one of us too often experiences this in his private and separate concerns; but the press almost overwhelms the collective body of the people with convictions every day.

One most notorious instance of this kind we have in a pamphlet, entitled, *A new Test of the Church of England's Loyalty; or, Whiggish Loyalty and Church Loyalty compared*. The writer of it, after having called all the Church-of-England-men rebels, traitors, regicides, and perjured men, protests he has not abused them, and pretends not to have affronted them neither. Either this author is very stupid, or he presumes his Church-of-England reader to be so. If the latter can without resentment bear to have the cap so impudently put upon his head, he deserves to wear it; if he can't, it shall be taken from his, and put upon the author's, which it will fit better.

I could quietly put up with the insolence and affront of the Church of England, if no other malice, or the design of mischief were discoverable at the bottom of it. But as it apparently tends to lessen the reputation our church has acquired among her neighbours for her signal fidelity to her princes, so it is manifestly raised and levelled to batter the pious resolution which her majesty has graciously declared herself to have taken in favour of our church.

Even this effort too might be slighted, did not the spirit of the party glare unmasked quite through it; I mean calumny and disingenuity. To wave a particular discussion of the remoter instances of the church of England's disloyalty, which he pretends to fetch from history, though he cites none, and to spare ourselves the trouble of raking into misrepresentations, foreign to, and too tedious for this place, and to which, perhaps, want of books, or want of understanding them, may be pleaded in mitigation of damages, it may suffice to observe his candour and justice to the Church of England in the single point of the late revolution. Those of it, that did concur with others in promoting that revolution, are reviled and vilified, as men of no faith or principles, and therefore not fit to be trusted, countenanced or protected; and those that did not, as men of pernicious principles, inconsistent with, and destructive of the civil rights and liberties of the people, and therefore fit only to be hanged or drowned out of the way. There's the Church of England provided for all at once, by an easy expedient, and the author has prepared a sufficient justification of it. Hang some of the rogues for adhering to King James, and kick the rest out of doors as rebels for not adhering to him. This author, by his principles and justice, should be a New-England author, where the godly brethren are famous for commuting, and other quaint devices, to get rid of unsanctified people.

But sure this author does think in his conscience, (if he has any) that either they did well who abandoned the interests of King James, or they who stood by them. Then why are they equally bespattered and rendered odious? Why, but because they profess themselves of the Church of England, and well or ill-doing is equal to him; 'tis all abomination, if the doer be a Church-of-England-man: And why should deserting the interest of an unhappy prince be imputed by him to the sons of the church as a crime, which act he not only justifies in the dissenters, but extols as highly meritorious? because, (as this author insinuates) the church man offends against the light of his conscience, sins against principle, and stands self-convicted and condemned; which the other (as he pretends) does not.

But here his conclusions outstrip his arguments, and his assertions go a great way farther than his proofs. There are two things with which he very boldly charges the Church of England, and wherein consists the force and activity of all that venom which he spits at her, which it will be very hard for him to make out.

First, That passive obedience was ever a principle of the Church of England.

Secondly, That, if it was ever a principle, the church has since renounced it, laid it aside, or broke through it.

But so unlikely an adversary is this gentleman, to prove the church false to her principles, that he does not seem to know what it is that constitutes any doctrine, a principle of the church, nor how to distinguish between the tenets and opinions of private doctors, and the principles of the church. To entitle any church, religious congregation, or society, to any doctrine, as a principle, it ought to have been once, at least, enjoined to be received as necessary matter of faith, by such person or persons, as, by the consent of the collective body of the church, are vested with an authority declarative of what is necessary to be believed.

It is not to our present purpose to enquire with whom the Church of England has lodged that power; it is sufficient to know, that all that she has enjoined as necessary to be believed, is contained in her nine-and-thirty articles, and in her canons; in which

I dare venture to affirm, that there is nothing to be found, which does, either in a literal, or even constructive sense, enjoin the belief of passive obedience in such a manner or sense as he has charged it upon her; and therefore it is a malicious and very ignorant scandal, to charge her with falling from her principles, even though she should have acted contrary to the notion of passive obedience, as by him laid down.

It is true, the notion of passive obedience has been frequently and vigorously inculcated into the sons of the church by divers of her doctors, but then it was done without any other power than that of persuasion, or other authority than such arguments as they were able to bring from scripture, reason, and the writings of the fathers. It is not material to enquire whether their doctrine was erroneous or not; because, if it were, the church is not answerable for it; and, if it were true, it does no more thereby become a principle of the church, than that every equilateral triangle is equal to two right ones, is a principle of the church. And yet I believe every individual doctor of the church, who has considered the proposition, does believe it to be most infallibly true. The church does not interpose its authority for every useful truth, but leaves her sons at liberty as to many great points, concerning which they may differ, according to the several convictions of their own minds, and yet be equally her sons. Of these, the now unfashionable point is one; of which I shall only add, that were it as consistent with worldly interest and security, as it is conformable to the gospel spirit of Christianity, I see no reason to quarrel with it.

But supposing a belief of passive obedience had been enjoined by the church, How does it appear, that the church has revolted, or broken loose from the obligation of that principle, allowing it (for argument sake only) to be a principle of the church? What did the church do in violation of it? Did the church turn out King James? Did the church, by any solemn act or declaration, renounce passive obedience, or declare King James deprived of his regal crown and dignity? Without some such acts as these, by the authority of the church, or (to go somewhat farther than we are in justice obliged) a general defection of the members of the church from their allegiance, and of none else, if any thing was criminal in the transactions of that time, it is not to be charged upon the church.

The great and only instance of the Church of England's pretended disloyalty and neglect of principles, is the deposing (for so this author will have it to be) of King James. I ask who did that? While it was a recommendation at court, the dissenters or whigs, (which are synonymous terms with him) laid sole claim to it, as a meritorious work, and were bountifully rewarded for it. Now the great advantage is thought to be over, the church is to be entitled to the odium. But to ease the dissenters as much as I can, I say it was the Prince of Orange's army and the convention that did it. The army drove the king away, and the convention declared his going away abdication. I shall not here undertake to determine, whether this was or was not according to law or gospel; but we know who at that time urged both against it. I suppose it may be doubted, whether the Church of England had a majority in either; and therefore what they did, ought not to be charged as the act and deed of the church.

But this gentleman says they fought against the king in Ireland, and if they did not kill him, they intended it; for their bullets had no condition of exception. It was, indeed, a fault in the Church-of-England-men (if any there were) not to limit the commission of their bullets to three miles, lest they should touch the Lord's anointed. But how comes this to be the fault of the church? How does it appear, that a few red coats, soldiers of fortune (whose religion is usually to be chosen) some Dutch, some Danes, some Swiss, some French, some Irish, some Scots, were the legal representatives of the Church of England? Till he proves them to be so, the church is not obliged to answer for what they did.

But after all, this gentleman seems to have no manner of clear notion of passive obe-

dience : It implies no more, than not resisting by violence those whom God has set over us, without involving ourselves in the intricacies and difficulties of doubtful, or disputed titles : Who made us judges over Israel ? We send our wise men to represent and determine, and 'tis our duty to submit.

It is hard to stop here ; the insufferable insolence of the parallel between the usage that King Charles I. met with from the dissenters, and King James II. met with from the Church of England, is scarce to be borne. The provocation is very great, and the field unbounded ; but we have not room to prosecute the war here ; but if this author shall think fit to carry on the war, I promise to accept his challenge.

In the mean time this author tells us, that he does not intend to widen breaches, and means nothing but reconciliation. We have met with friendships indeed in history before, which have begun with assassinations ; but we never heard of their reality or duration. He that should spit in my face publicly, and pretend afterwards it was mere kindness and respect, would have a hard task to persuade me. I shall not pretend to advise gentlemen of the Church of England, who, I presume, will be sufficiently aware of men of this writer's kidney, who, while they pretend to make advances of kindness and reconciliation, labour to sink the reputation of their probity, virtue, and understanding.

It has been the hard fortune of the people of England to be misrepresented, for some years last past, both abroad and at home, and thereby to be rendered contemptible and odious to their neighbours ; as a people inconsistent with themselves, wavering in their resolutions, fickle in their alliances, unfriendly to their neighbours ; and to become jealous of one another, angry with their best patriots, and fond of those who laboured to subvert their constitution, church and liberties, &c.

It may seem strange to those who have not sufficiently considered, or are not well acquainted with matters of this nature, that it should be possible for a people to become contemptible to their neighbours, while they gave such manifest proofs of their strength, courage, and wealth ; or to be odious to those who subsisted chiefly by their succours and assistance.

Yet such has been the artifice of some designing people, that our allies have been made to believe, that though we had all those qualities actually existent in us, yet we were a rude, indigested mass, a rabble of people that had no soul or form, but what the king, and a few of his ministers, gave us ; that, like flints, we had no fire but what was struck from us ; and would exert none of our unactive, lazy powers, but by their inspiration.

This gave our allies a very high idea of the king, and those about him, that could move such a lumpish, inanimate body to such great and noble actions ; but it filled them, at the same time, with a contempt of that people, who wanted life and soul to exert that force that lay dormant in them, till it was roused and directed by others. They took us to be like guns, that might do a great deal of good or harm as we were used ; but that all the thanks were owing to the engineers and gunners that mounted, charged, and fired us ; and that after the service was over, it were no matter whether we split or rusted. This was manifest from the little regard that was shewn the English nation, during the whole course of the late war, and after it ; and was owing to the artifices of some people, who magnified their own services and affection to our allies, and represented a House of Commons, (the representatives of the collective body of the people) as a weak assembly, which they could either lead or drive as they pleased. By these means they gained so far upon some of our neighbours, as to be able to

prompt them to interpose in matters of the highest importance to us, and to prevail sometimes against the manifest interest of this kingdom.

To support this credit abroad, they found it necessary to make some figure of it at home, and to keep a party, which, though considerable for nothing but their capacity of conscience and confidence, were thought proper instruments, by false clamour and forged calumnies, to create divisions, and foment faction among the people; to maintain which party, and to keep their inventions warm, millions, perhaps, of the public money have been unaccountably lavished, and one mint has laboured to encourage the other. By these arts they so far poisoned a great part of common people with jealousies and groundless apprehensions, as to render many of the gentlemen in all parts of England, who are most considerable for their abilities, integrity, and courage, as well as quality and estate, suspected and feared by them. No sooner did any of these signalize himself in the House of Commons but his honour was attacked, and he was branded with popery and France, how unjustly soever; scandalous stories, libels, and malicious lying accusations were spread of him throughout England, without either proof or author, and his reputation was wounded by unknown hands, that made their markets at the expence of his fame.

It may be worth while to observe whither these practices tended. First, by representing us a weak, irresolute people in ourselves, that knew not how to manage our own strength and wealth, they gave our neighbours and allies courage to presume upon us, and to interpose in our affairs, and to rest themselves secure, that having gained those few (whom they thought our leaders) on their side, they had nothing to do but to gain over the king to their party, and the business was done; the asses would be tame, and might be driven to the pond, or whither else they pleased; and, by possessing them that we were such malevolent ill neighbours, as were never to be brought to any hearty or sincere intentions towards their allies, they provoked them to hate us; and having wrought them to a belief, that to them only they were obliged for all the great services they received from England, prepared them to back all their measures, and second their designs, whenever they should signify to them their schemes were ripe, and that the proper season was come; which, had not Providence prevented, we might have seen ten times more foreign soldiers in England than those we struggled so hard to send away, and as many fewer of our own at home than we thought safe to keep up.

But as this design was bipartite, it was as necessary to be well with one party at least at home as abroad. The gentlemen all over England were found unfit for their purposes; their principles were sound, and their stakes too great to give up either our church or constitution, and therefore a party who had always laboured the subversion of both, were advanced and caressed, as the only true staunch protestants. But these being a party alone too weak to effect what they aimed at, they took in a sort of mungrel church-goers,¹ whose conformity was not the result of principle, but of luke-warm compliânce with the humour of the times; who could as readily have embraced any other church and doctrines, in which they could find their own private accompt. These they dignified with the specious title of men of moderation and temper, though they, and the party they were now united with, were known, most of them, to be the men who, in the reign preceding, had like, by their great moderation and temper, to have ruined our religion, laws, and liberty; yet now they were cried up as the only proper persons to protect and assert them, their gross railing magnified as zeal, and their slavish obsequiousness was made an argument of their affection to the government, though they had given the same proofs of both before to him they then railed at.

¹ Occasional conformists, a name so memorable during this period, were those dissenters who did not scruple to take the communion, and frequent the church in so far as was necessary to qualify them for holding offices under government.

By these a comprehension was laboured, which might admit into the dignities of the church and state a medley of men, who, ever since the first spawning of their sect, have been professed enemies of both, some of which, however they may call themselves protestants, have not yet been able to prove themselves Christians. To bring about this project, on which the main home strength of their scheme depended, the principal gentlemen all over England, whose principles and penetration they feared, were brought into disgrace with the king and the mob, whom they persuaded, whoever had the courage to oppose their party, was a papist, a jacobite, or a favourer of France, and disaffected to the government, as they call themselves. Instead of those, they brought into the commissions of the lieutenancy and peace, almost all England over, a set of fellows of no fortune, honour, or reputation, or gentlemen of known aversion to the monarchy and church of England, that by these promotions the courage of the dissenters might be roused, and the ambition of the mob elevated to aspire to the like preferments, by insulting their best patriots, and trampling upon authority. How far they succeeded in these attempts may be seen in the almost universal corruption and depravation of the meaner people throughout England, and the affronts which were so openly put upon the last parliament by that party; and though we are highly obliged to, and ever ought to be sensible of the gallant stand then made by many worthy gentlemen of both houses in our defence, yet it is to Providence that we owe the entire defeat of these cursed designs, if yet we may reckon that work compleat.

The countenance of the court, the hopes of preferment, and the clamour and impudence of the mercenary promoters of these dangerous designs, prevailed upon the simplicity of the well-meaning people, whom it is necessary, at this time, to undeceive, especially those who are truly of the church of England. But seeing some, whom, from their outward profession, they thought churchmen, go into a wrong interest, have been misled to bear them company, without apprehending their true intent and meaning; to arm all such, and all protestant dissenters, who have no other aim than the peaceable enjoyment of their own conscience and worship, however erroneous, it may suffice to give such general cautions as will distinguish with what principle, and upon what views men act, without descending to personal reflections, how well soever deserved by some people.

God has been graciously pleased to give us a queen as truly English by inclination as by birth, who, both by principle and practice, has given us undoubted demonstration of her sincere affection and zeal for our church and constitution. If, therefore, we do not make use of this blessing to second her pious intentions, and establish both for ever, we should be guilty of a great neglect of Providence, and perhaps put ourselves out of the protection of it for ever hereafter.

This is not said to inflame any body against those who dissent from us in opinion, but to warn against the practices of those who (without any regard to religion) have by-ends to pursue, and encourage one party only to the destruction of both.

Reason and experience have both taught that our church and constitution must of necessity stand or fall together; and that all those, of whatsoever sect or denomination, who have aimed at the subversion of one, have laboured the destruction of the other likewise. It will, therefore, highly behove all protestants, lovers of the English constitution, whether they be conformists to the established church or not, to contribute their utmost endeavours towards the support of it; since with that the English constitution and liberty must necessarily sink. The reign of Queen Mary, the usurpation of the Rump, and the tyranny of Oliver, have, to our sorrow, manifestly evinced this long since; therefore, they who aim only at liberty of conscience, of which they are now secure, while they continue quiet, can have no interest to shake that fabrick under which alone they can be sheltered.

I shall not enquire upon what motives (but it is expected that upon the conclusion

of this sessions) this queen should dissolve this parliament. Upon supposition that it will be so, it may not be improper to shew how much it imports the people to be wise and circumspect in their next choice ; for if they shall hereafter be so unsteady, so loose, and so corrupt as they have been in many of their late elections, they will lose the fairest opportunity that they ever had to resettle both church and state, and give such head to faction and corruption, as may in time give them power to dismount their constitution.

The people ought to consider, that when they have made choice of their representatives, they have parted with their power, and lodged it in them for so long a time as they continue to be such ; and, therefore, they ought to be very cautious and wary in the disposition of such a trust, and to be very sure of the fidelity of the persons in whom they place it. To arrive at such a certainty as seems necessary in so great a case, appears, from the experience of many ages, to be very difficult, but more especially in this, when the pretended principles and real practices of some men (who were desirous to have been thought the only true friends to the government) have been found so little of a piece, to establish such a criterion as shall infallibly distinguish the sound from the unsound (if the use of terms may be allowed, by which a certain party have affected to discriminate themselves) seems almost morally impossible ; but it may not be very hard to assign some marks, which may certainly shew that the persons who bear them are altogether unfit for that trust and dignity.

The professed dissenters from the church here established by law, have (one would think) passed a sort of a bill of exclusion upon themselves, and with their own hands shut the door of the House of Commons against themselves : But so supinely secure were the church-of-England-men, that they have lent their hands to their enemies to force open that door for them which they had sufficiently barred against themselves. This is what some men, who would be thought friends to the church, and wise for it, laboured hard for, under the name of comprehension, a thing that would let in every man of what sect soever that is not called a papist, except the true church-of-England-men, whom only they would exclude. There is little need of warning to those who are truly solicitous for the church, and understand rightly wherein its true excellence and security consists ; but as few are gifted with so much penetration and discernment, there are many who profess themselves her sons, who have given her, through their imprudence, many cruel and dangerous wounds, not exempting some who have their daily bread from her, whom we must in charity believe to have acted what they did without any true foresight of the natural tendency of their actions.

There are two sorts of people who ought especially to be informed of some errors both in judgment and practice, which (if pursued) may in time prove fatal to them ; the persons hereby meant, are, first, such as think ecclesiastick policy and external forms of worship things indifferent, that may without detriment be altered, or changed, according to the pleasure of the supreme magistrate, the humour of the people, or the circumstances of the times ; and next, the modest protestant dissenters, (who, I hope, are the greatest part of them) who, though dissatisfied with the form of worship established in the church of England, yet, by their separation, aim at nothing more than the liberty of serving God in their own way.

It is not the business of this paper to convince either of these parties of their errors ; let one think themselves right in their indifference, and t'other in their separation ; let us wave the religious part of the argument, and consider only, how in prudence both these sorts of men ought to act, in regard to the civil constitution of England ; for otherwise they ought not to have the benefit and protection of it.

The first of these being indifferent as to the form of ecclesiastical worship and government, can't be supposed to concern themselves farther about it, than to secure the

ease and quiet of the laity, from the imposition and tyranny of priests; what they offer farther may justly be suspected of self-design and interest.

It were easy to prove, were the matter to be contested, that the church of England is the most reasonably constituted both to doctrine and discipline, for the ease of the laity, and the ends of religion, of any Christian church in the world; for as our church claims no implicit faith, as that of Rome does, so neither do her priests usurp any power or jurisdiction over the consciences of those whom they are to instruct and take care of, or pretend to determine of particular election or reprobation, as most of our protestant dissenting ministers do; and thereby gain an ascendant over the consciences of ignorant timorous people, which is scarce consistent with freedom of mind, or liberty of conscience. But should the church of England be destroyed, some one of these must be set up, or I presume no man would have us without a national church of some kind or other; and let the man of indifference pitch upon which of the known forms he pleases, and he will find himself infinitely more cramped by it, and more a slave to the priests, than ever he thought himself in the church of England. But should the church of England be dissolved before the several sects and parties were agreed what to set up in the room of it, what then were we to expect, but that they should fall together by the ears, and that the crafty priest that had the best knack of leading the mob by the ears, must necessarily, in the conclusion, have the sole direction of all spiritual matters; and consequently we should fall into a worse sort of popery than that of the church of Rome? This is no chimera, no melancholy dream or fancy, but such a truth as observation and experience of former times, even in these kingdoms, have furnished. This, I suppose, may suffice to convince the indifferent man, that it will be impossible for him to alter our ecclesiastical constitution for the better, according to his notions.

As for the protestant dissenters, whose scruples, whether just or unjust, hinder him from conforming to the discipline and worship of our church, if he aims at nothing more than the liberty of worshipping in purity, according to his own sense, he has already, and need not doubt the indulgence of the queen, so long as he behaves himself with that inoffensive modesty and peaceable disposition towards the national church, which is due from a private separatist, who would not incur the censure and penalties of a turbulent schismatick.

But supposing the dissenters were not so modest in their desires, (as it is hoped most of them are) considering the number and variety of sects, and the weakness of each of them apart, what benefit can any one party propose to itself from the ruin of the established church, were they able to effect it? Does their dissension from the church of England unite them either in doctrine or discipline? Does it bring them nearer to a conformity with one another? No, but so much the contrary, could they prevail against the church they would be bitterer enemies to one another than ever they were to the church. We have experienced this truth in those unhappy days when the crown and mitre were trampled upon, and God's house made a den of thieves, that fell out and were ready to cut each other's throats about the possession and division of it. Our sectaries then saw how impracticable a comprehension was, and that there was not one sect among them that did not think worse of all the rest than of the church they laboured to pull down. But we have more recent instances than that, which prove that they cannot bear even the dawning of hopes with any tolerable good accord.¹ We have seen the two sticks which a false prophet of theirs had pronounced to be made one for ever, soon severed, and made use of to break each other's heads; an instance which plainly proves that faction shall never be at rest or unity.

Such dissenters as I have mentioned ought to be satisfied with the present indul-

¹ Sermon on the Union of the Presbyterians and Independants, preached at Pinner's-Hall.—*Orig. Note.*

gence which the church allows them, and resting themselves contented with the undisturbed exercise of their religion and conscience, to give the established church no jealousy of their ill-meaning or designs, and thereby provoke them, and indeed make it necessary to lay them under greater restraints and incapacities than are at present intended them, or, by destroying (were they able) that church which now protects them, to fall under the tyranny of a sect which would have no such tenderness for them.

But if they entertain any hopes that they, even united, shall be able to bid defiance to the established church, they are extremely mistaken in their own strength; for though they have been able to make a considerable noise and bustle in the world, yet were they themselves but weak and inconsiderable; the main strength of their party lay in an auxiliary body of false church-goers, who joined them, not out of any love or respect to them, but to their own private interest. These were men whose eyes were always fixed on the countenance of the court, men that were always resolved to be on the sunny side, be that whatever it was; these are a sort of court weather-cocks that veer about with every wind, and watch the disposition of ministers and favourites so carefully, that they understand a nod, or a shrug, and are ready to execute their pleasure, be it what it will, before it is plainly signified; however, they may thank their stars that they wanted not a set of ministers who could make very broad signs, otherwise they might officiously have mistaken them, and followed the words of their directions contrary to their meaning. It is hardly to be thought that the dissenters will depend on these sun-flowers for their assistance at this time of day; there is now the shady side, and these are tender plants that cannot endure it. They had no other reason for joining them before, than that they were favoured by the late ministry, and they will leave them now, because they are not like to be so by the future. If, therefore, the dissenters be masters of any temper or prudence, they will not venture, by a vain struggle at this time, to urge those who are infinitely the majority of the people, and have as well the laws of the land, as the queen and her court, on their side, to have them in distrust, and consequently under guard; it may, therefore, be worth their while seriously to consider this, and not by a fruitless opposition to expose at once the weakness and ill intentions of their party, but peaceably to enjoy that liberty of conscience and free exercise of their religion, which no good church-of-England-man will repine at, while they appear to aim at no more.

As for the church-goers, who pretend to be sons of the church, and yet have joined our enemies in all their votes, it is plain that preferment, not principle, was the star that guided them; and it is to as much purpose to reason with the weather-cock at St James's as them; the same argument prevails with either, and a court-blast turns them about with equal facility; but there are some honest, true sons of the church, who, in the simplicity of their hearts, taking these men for what they appear to be, have been seduced to go along with them, and acted contrary to their own intention and meaning.

These are not a few, and therefore ought to be disabused, and have some marks given them, by which they may discern and distinguish the wolf in sheep's cloathing. The inclinations of these men are several ways to be discovered, by their avowed principles, by their known practices, by the party they join, by their conversation on publick subjects, and by their fixedness and wavering in their resolutions.

It is hard to discover what men's principles really are, but not so hard to discern whether they act according to the principles they pretend to own. We have lately known men, who to the people have set a value upon themselves, and have been well received by them for it, who have laboured to destroy those rights as champions for which they recommended themselves. We need not go far for instances: the opposers of the triennial bill, the promoters of a standing army in time of peace, the obstructers

of necessary impeachments, and those who are lately willing to give up the rights of the people in that point, are recent and undeniable instances.

All these men pretended to be protectors of the protestant religion, and the best friends to the government ; but had they half the merit of the Roman geese that saved the Capitol, had their noise and clamour been half so serviceable, or so innocent, they had deserved consideration. It is true, they did, like the geese, alarm those who were able to preserve the state, but it was so far from being meritorious in them, that they were the very enemies against whom it was most necessary and most dangerous to defend it.

By this clamour for liberty and property, and their slavish obsequiousness to the court, they wriggled themselves into posts at Whitehall, and credit with the mob. Their pretence was a great zeal for the government and protestant religion. What was meant by these words may be worth enquiring.

According to our constitution, no other protestant religion ought to be promoted here in England, than that of the church, by law established ; and though a reasonable indulgence be justly due to all consciences truly, however erroneously tender, yet no such encouragement ought to have been given to any sectaries whatsoever, as to animate so far as to push at the national church. But these men of meritorious zeal for the protestant religion were not content to raise dissenters of all kinds, even above the church-of-England-men, unless they brought the latter into disgrace likewise. They aspersed them unreasonably as papists or Jacobites, and took care to put all the distrustful hardships upon them that they could invent ; they displaced them as fast as they could, and put men of opposite principles, or none, into their room, and persuaded the king that these were the only true fast friends he had.

They were too sensible that by these practices they did wrong to the nation, and provoked the gentlemen who understood they had, and were almost all the men of the best consideration in the kingdom ; and therefore they laboured to secure to themselves the misguided rabble, whom they amused with idle fears, and raised to an insufferable insolence by the countenance they gave them. They let fly the publick money among their emissaries whom they employed to inspire the mob with a contempt of the best gentlemen and patriots ; and set those to work who had no religion to pull down that church which only could protect all.

The form of our ecclesiastical policy resembles so nearly that of the civil state, that, the plea of *jus divinum* apart from either, no man can have an abhorrence for one, who has not a hearty aversion to the other, how well soever he may dissemble it. We ought therefore to observe very carefully those men, who, in their late conversations and discourses, whether publick or private, have expressed a contempt or dislike of our church government and discipline ; for as the authority of the church in spirituals stands almost on the same foot, and is disposed in the same manner, with that of the state in civil matters, those arguments (if its enemies had any such) that were of strength to beat down one, would batter the other very sorely, were they levelled against it. And we have no reason to believe that any man, who, considering and understanding the nearness of relation between the church and the state, and how much they stand on the same bottom, yet thinks fit to assault the first, but he would attack the latter likewise, if he did not think the temporal sword was longer and sharper-edged than the spiritual one.

But it is not from men's writings, or talk only, that their principles or inclinations are to be collected ; their actions are yet a much surer guide to their real sentiments. To dissemble in words is so easy, and grown so familiar with most people, that it is scarce safe to trust to verbal professions, especially when those that make them would recommend themselves to the persons to whom they are made. The surest method to form a right judgment, is to retrospect men's past conduct, and enquire how they have behaved themselves on such occasions heretofore. If a candidate for parliament has ever sat in the house before the electors ought to be satisfied how he attended, and how

he voted, especially in all critical and important questions, wherein men more particularly distinguish themselves, either for affection, wisdom, or courage, or all of them. If they have misbehaved themselves upon such trials, they ought not to be trusted any more, except a less obnoxious person is not to be found.

If the candidate has never been a member before, the next certain indication is, his conduct in his country on all publick occasions. The electors should examine what sort of men he constantly favoured, what party he has always joined; and, for want of surer and closer information, they may weigh him in their standard, without danger of committing any error of consequence; but if he has been unsteady in his management, wavering in his resolutions, and often changing sides, it is then the duty of the elector to inform himself as well as he can of the true reasons and motives of his inconstancy; and if he finds it not to proceed from any consideration of the publick good, he ought to hold him inexcusable. He may then be sure that it is want of judgment, levity of temper, or private interest, or particular pique, or affection, none of which are honest warrantable excuses, except those which carry an incapacity for such service along with them. For there is no corporation, how inconsiderable soever, so low or vile in their own esteem, as to think fool or knave a qualification to represent them.

There is yet another plain characteristic by which not only the leaders, but all the active men of the party, whom we ought at this time to beware of, are most essentially distinguished, that is, lying and defamation. By virtue of this single quality has their faction been propagated, and their projects carried on; by these arts have great numbers of our bravest gentlemen, and the nation's best friends, been aspersed, and rendered unpopular in most parts of England, and many thousands of simple credulous people bantered almost out of their faith and principles, to the endangering of our church and constitution. When, therefore, any of the electors hear these men lay about them with the tremendous noise of popery, and French gold, those bugbear words, which fright the poor silly vulgar out of their senses, they may prepare themselves to hear some egregious lie without proof or author to defame, and blast the credit of some honest gentleman or other; but when in the modestest fit they find it convenient to stick to generals, and deal out slander by wholesale, even then it is not without some glance of particular direction and application, by which those that hear them may be led into their meaning and purposes, and themselves left at liberty to disown it, if repeated again to the persons concerned, and resented by them. This sort of profanation there is scarce any kind of thing or place so sacred as to have escaped; even the pulpit itself has been prostituted to these unhallowed practices, and God's house employed in the service of the devil. We have been told from the place from whence we were wont to hear sacred truths,¹ we must take care at this juncture whom we chuse, and beware of a popish affected party; for such a party there is, who clogged the prosecution of the late war, and hung upon the wheels of the government; who would tear from the king oppressed patriots, and true and faithful ministers; and are now contending for power, that they may (as I believe) make a present of us to a foreign tyranny. These and the like words have been heard from the pulpit a little before an election, out of the mouth of one who had no foundation of truth for it, or other authority than a dishonest forwardness to gratify the lusts and to serve the purposes of an obnoxious patron. It were scarce worth the while to have taken notice of this practice in particular, were it not to prevent the spreading of so scandalous an abuse, and the contagion of so foul an example, and to warn people, that they may sometimes be surprised, unless they be very careful, from a quarter whence they would least of all suspect it.

It may be just matter of wonder, that practices so detestable, and so notorious, should yet meet with such success, contrary to the true interest and meaning of the generality of the people. But there were two things which, besides their confidence and lying,

¹ Sermon preached at Cambridge before the last Election, October 1702.—*Orig. Note.*

were their main support ; first, a furious pretended zeal for the protestant religion in indefinite terms ; and next, a singular and meritorious affection for the government : By these they recommended themselves to the people, the less discerning part of whom took their noise and confidence for certain demonstrations of their heartiness and integrity ; but as they were indefinite in their terms, so were they likewise in their actions ; for they took care only to shew that they were neither papists, nor the true church-of-England-men ; whom, because they found them the most understanding part of the nation, they represented as equally dangerous : For the rest, they took care to avoid appearing particular to any one sect, but in the whole, very well and kindly disposed towards them all ; and though the principles of many of them were as opposite to each other as fire and water, yet they were equally welcome to them, and caressed by them at several times, provided still they would oppose the church of England upon all occasions. All this while they went themselves to church, and were as godly conformable men as the best that came there. Their exceptions to the liturgy and church service were slight, just enough to confirm to their party, they did not heartily like them, and yet to support the credit of their mercenary instruments, the false church-goers, that they were lovers of the church, though they were men of moderation. It had been much for the reputation of their moderation, if they had shewn themselves as cool in the pursuit of riches, power, and honours, as they have done in the interests of the church of England.

But as the protestant religion and moderation are terms that have been made use of to seduce numbers of people, and shake their resolutions for, and adherence to, the church of England, it may be worth while to enquire, in a very few words, what these terms naturally import, and what has been the abuse of them.

The word Protestant signifies no more than a protester, and was first appropriated to religion after the defection of Luther from the see of Rome, when the followers of him and other reformers entered into a solemn protestation against divers of the errors and corruptions of the church of Rome. The name then included no more than those who had actually protested ; but came in time to be given indiscriminately to all those who embraced the doctrines of the several reformers in opposition to the church of Rome. But it has since been extended to all sorts and sects of men that call themselves Christians, how opposite soever to one another in doctrine, discipline, and worship, if they did not communicate with the church of Rome.

The chief, and perhaps the only distinguishing marks upon which they assume the denomination of protestants are, denying of transubstantiation, and rejecting the supremacy of the pope. These give us only a negative idea of the word protestant ; nor has it any positive one, but that the persons that lay claim to this name do protest against these two things ; so that the Jews, Mahometans, and Pagans, men of any or no religion, have a title to the name in the full extent of it, papists alone excepted. For though the first beginners of that name were undoubtedly Christians, yet the name itself implies no consent to any one fundamental of the Christian faith ; and we have lived to see great bodies of men lay claim to it, who would be hard put to it to prove their title to Christianity. It is, therefore, a dangerous, and may be a fatal error, equally to recommend and encourage all those that lay claim to the name, as if they were equally orthodox. The natural consequence of such a mistake is the propagation of heresies and schism, which has too much disturbed the Christian church, and sometimes shaken and overturned the civil government of this nation. It therefore highly behoves all those who think themselves at present upon a Christian bottom here, not to trust the power of representation to such persons as are any way to be suspected of disaffection to our present establishment, whether in church or state, as they will answer to their own consciences for any misfortune that may befall either upon their contrary conduct.

Moderation, which is the other term, of which many people seem not to have a right notion, deserves likewise to be considered. The word imports no more than not to be violent or unreasonable in the pursuit of any thing whatsoever. As it is applied to religion, it means only, that we should have a Christian charity for our brethren that dissent from us, how much soever we think them mistaken, and not to prosecute, with rigour and severities, simple errors of judgment, whatever is the natural result of them, unless they tend to the disturbance of our peace and security. Force is an argument that never alters men's opinions, whatever it may do by their outward profession; and those that are proselyted that way through fear, are made hypocrites, not converts: For this reason it is, that liberty in point of faith and worship ought to be allowed; but they are mistaken that think moderation requires any more. True Christian zeal allows no more than compassion for erroneous consciences, and indulgence in matters purely spiritual, such as relate only to the worship of God after their own way. They that demand more, under pretence of moderation, are either ignorant of the extent of the word, or indifferent to the profession which they outwardly make; or, which is worse, betray some evil designs which they cover with that pretence. For it is absurd to pretend a true love and zeal for any faith, discipline, or worship, while we knowingly labour to put those into power who wish the destruction of them, or such as particularly favour those that do.

The history of the last threescore years here in England sufficiently inform us how little we are to trust to the mercy of any of our protestant dissenters, of whatsoever denomination, whenever in power; and how little candour or justice we are to expect, whenever they have but a dawning of hope to arrive at it. Those therefore, who have any true love or value for their church, or civil constitution, ought to be very cautious that they be not betrayed, by a false notion of moderation, into such a neglect as may in time prove fatal to both.

The moderation which some men have recommended, has heretofore, in plain English, been called trimming, by which is meant, professing for one side, and acting for the other. This has been an art in much esteem and reputation of late days, and has kindled such flames and animosities among us, as are not, without great care, to be quietly extinguished; and therefore it is hoped the people will be so careful in all future choices, to elect such persons as lie under no suspicion, and will afford no precedents, nor give any authority to ministers that may hereafter come to the helm, by their example, to play us a double game, or put us into such a doubtful condition as we have in former times experienced.

By the government they acted as they did by the church, and while they bellowed for the government, laboured hard to overthrow our constitution. In this case also they kept themselves to indefinite terms; they were (as they said) for the government, and others, (if you will believe them) against it; yet they never thought fit to explain what they meant by the government. The government of England should be in the king, (when we had one) lords and commons, and is now, God be thanked, in the queen, lords and commons; but this is not the sort of government which they meant; for by themselves, or the party they had espoused, they had at several times endeavoured to baffle, and render insignificant every individual branch of the sovereignty of England: First, the king was a chip in porridge, and prerogative was a trifle and a piece of usurpation; next, the house of lords was a presuming, arrogant, unnecessary body; and lastly, the house of commons (their idol, while some of them had the leading of it) was an unreasonable, assuming, encroaching, tyrannical assembly, that had no sense or honour, and neither were, or ought to be entrusted with any powers. It is easy to guess where these men would have lodged the government, when they could not be content with any, or all the three estates. Any one of them that would have acted by them would have been accepted and recommended by them; and this was

their meaning, when they represented many of our best patriots as disaffected to the government, by which, among themselves, they meant no more, than no friends to their ministry ; but as they had upon their own score very little credit with the people, they found it necessary to embark the king on the same bottom with themselves ; and to persuade him, and by him a great many people, that his and their interest stood and fell with them, and both that the nation was ruined whenever they were out of credit and employment.

It pleased Providence, however, to render them so secure of the success of their projects, as to lavish and insult at such a rate, as to open the mouths of many, who saw before how things went, whatever the hazard of it was to themselves, and thereby to open the eyes of many who had for some time been lulled into a false security. They saw them resolve the government purely into themselves and the king, and endeavour to baffle the authority of the two other estates : And they saw as plainly why they allowed the king a share ; and that it was because that under the shelter of him they could act what exorbitant irregularities they pleased, and come off with a pretence of extraordinary affection for the government, and zeal for the protestant religion ; the first of which they knowingly laboured to subvert, the latter through indifference and imprudence.

Their main cunning was shewn in this, that keeping themselves to their indefinite terms of the protestant religion and the government, they left every man to understand them in his own sense, and consequently to believe them of his party : This, and the lavishing of money very freely, engaged to them a numerous party, who, in opposition to the established church, being fond of their patronage, and bold upon the countenance and favour of the court, pushed hard for themselves, in opposition to the interest of the nation.

They that would know who these were, may enquire, who opposed the triennial bill ; who promoted a standing army in the time of peace ; who obstructed the taking of the publick accounts ; who were against enquiring into the misapplication and embezzlements of forfeited estates and publick money ; who made and signed treaties to the dishonour of England, and to the injury of her allies ; who were the abettors of the affronts that were put upon the late house of commons, and the injuries that were offered to the rights of all the commons of England ; who they were that lately delivered up the right of impeachment, the great bulwark of the common liberties of England ; who made great estates for no service to the nation, out of small places ; and who pretended a great love to the government, while they were destroying the ancient government of England.

Let them consider who did this, and what they got by it ; how much they had to get, and did get, and how little they could lose, or do lose ; how much they have pretended to, and how little they have done ; and what proofs they can make for themselves, of what they value themselves upon, if they would but speak plainly and honestly ; and let them demand what they please of the nation, when these proofs are made out ; but till these things are made appear, and they answer what is objected against them, it behoves them to be silent, or at least very modest, lest they imprudently pull upon themselves those particular proofs, which, if they be wise, they would avoid.

And since the queen has declared war against France, in confidence of the hearty assistance of those very men whom the late ministry have so much misrepresented, and they have answered her with so much alacrity, and with true zeal manifested their hearty affections to her, and the old English constitution, 'tis to be hoped, that nobody can have the impudence now to attempt to disturb the good understanding between her and her people, or offer at those misrepresentations which have been heretofore so much in practice.

A List of divers worthy good Patriots, who were slandered last Year in a scandalous Paper, called the Black List.

Of whom the reader is desired to take this notice :

That they are most of them gentlemen of the best account for estates, quality, and principles, among the commons of the whole nation.

That they are true sons of the church of England, as by law established.

That they have been strenuous asserters of the liberties and rights of the people.

That they were promoters of the triennial bill, a great security against the corruption of parliaments.

That they promoted to their utmost, a just account to the nation of the great charges they have of late years been at.

That they were for the enquiring into the misapplication and embezzlement of forfeited estates and publick money.

That they were for calling to account the authors of treaties, to the dishonour of England, and its allies.

That they were the asserters of the honour and rights of the house of commons, and of all the commons of England, in opposition to the insolent affronts and injuries that were lately offered to both.

That they were the persons, who, by their courage and prudence, preserved us from the danger of a standing army in time of peace.

That they were the men who gave up those grievous privileges which gave them means of exemption from paying their just debts.

That they were the persons who voted supplies to the Dutch above a year before they were obliged to it by the articles stipulated between England and the States.

That they were the persons who promoted the act of limitation for the security of a protestant succession, and of our church and civil constitution.

That they defended the right of the commons of England in the point of impeachments.

That they have provided for the deficiencies of the publick funds, and the payment of the publick debts, and the preservation of parliamentary credit.

That they have shewed an extraordinary and singular zeal and affection for her majesty's person, interest, and government.

All which (it is hoped) are recommendations to their countrymen, whenever they shall have occasion for their further service.

The List.

Berks.

William Jennings,
Thomas Renda,
Simon Harcourt.

Bucks.

William Lord Cheyney,
James Herbert,
Sir Samuel Gerrard,
John Backwell,
Sir James Etheridge.

Cambridge.

Anthony Hammond.

Cheshire.

Peter Shakerly.

Cornwall.

Henry Lord Hide,
John Hoblyn,
Charles Godolphin,
Sydney Godolphin,

Alexander Pendarves,
Henry Mannaton,
John Mounsteven,
Francis Scobell,
Francis Godolphin,
Sir Henry Seymour,
John Tregagle,
John Granville,
William Beaw,
Sir Richard Vivian,
Francis Stratford,
John Prideaux,
Sir Joseph Tredenham,
John Tredenham.

Cumberland.

William Seymour,
George Fletcher.

Devon.

William Courtenay,
Samuel Roll,
Sir Edward Seymour,
Sir Bartho. Shower, defunct.
Francis Gwin,
Thomas Coulson,
Charles Trelawny,
Henry Trelawny,
Thomas Northmore,
Nicholas Hooper,
Frederick Hern,
Nathaniel Hern.

Dorset.

Thomas Freke, defunct.
Thomas Strangways,
Nathaniel Napier,
Henry Thinn,
Charles Churchil,
Michael Harvey,
Edward Nicholas,
Thomas Chafin,
Richard Fownes.

Durham.

William Lambton,
Thomas Conyers.

Essex.

Sir Charles Barrington,
Sir Thomas Cooke,

William Fytch,
Sir Thomas Davall.

Gloucester.

John How,
James Thyn,
Charles Cox.

Hereford.

Thomas Foley,
James Bridges,
Edward Harley.

Hertford.

Ralph Freeman,
Thomas Halsey,
Gape,
Charles Cæsar,
Gulston.

Kent.

Henry Lee,
Thomas Bliss,
Mitchel.

Lancashire.

Richard Bold,
Robert Heysham,
Thomas Leigh,
Thomas Brotherton,
William Clayton.

Leicester.

John Verney,
John Wilkins.

Lincoln.

Sir John Bolles,
Edmund Boulter,
Thomas Vyner,
William Cecill,
Charles Bertie.

Middlesex.

Hugh Smithson,
Warwick Lake,
Sir John Fleet,
Thomas Cross.

Norfolk.

Sir Jacob Astley,

Robert Davy,
Thomas Blofield,
Edmund Soam.

Northampton.

Sir Justin Isham,
Gilbert Dolben,
Thomas Ekins, defunct.

Nottingham.

Robert Sacheverell,
Sir Willoughby Hickman,
John Reyner.

Oxon.

Sir Robert Jenkinson,
Sir Edward Norreys,
Heneage Finch,
William Bromely,
James Bertie,
Charles North,
Thomas Rowney,
Francis Norreys.

Rutland.

Sir Thomas Mackworth,
Richard Halford.

Salop.

Sir Edward Acton,
Sir Thomas Powys.

Somerset.

Henry Portman,
Sir Francis Warr,
James Anderton.

Southampton.

Thomas Jervoise,
Roger Mompesson,
Anthony Sturt,
William Ettrick.

Stafford.

Thomas Foley,
Sir John Levenson Gower,
Sir Henry Gough.

Suffolk.

Sir Samuel Bernardiston,
Earl of Dysert,

Sir Charles Duncomb,
Sir Charles Blois,
Sir Edmund Turner,
Sir Edmund Bacon,
Henry Johnson,
Sir John Cordell,
Sir Robert Davers.

Surry.

John Weston,
Sir John Parsons,
Sir Theo. Oglethorpe, defunct.

Sussex.

John Miller,
William Elson,
Henry Cowper,
—— Goring,
John Conyers,
—— Seymour,
Matthew Prior.

Warwick.

Sir John Mordant,
Sir Cristopher Hales,
Francis Greville,
Sir Thomas Wagstaff.

Westmoreland.

Henry Graham,
Sir Cristopher Musgrave.

Wilts.

Sir George Hungerford,
Thomas Phipps,
Sir James How,
Robert Bertie,
Sir Francis Child,
Francis Merryweather,
John Lord Mordant,
Charles Davenant,
Henry St John, jun.
Henry Pinnel,
John Jefferys.

Worcester.

Sir John Packington,
Samuel Swift,
Philip Foley,
Saloway Winnington.

Yorkshire.

Sir Robert Bedingfield,
 Anthony Duncomb,
 Sir Godfrey Copley,
 Sir John Bland.

Wales.

Thomas Harley,
 Sir Humphry Mackworth,
 Sir Jefferey Jefferys,
 Robert Harley.

A List of Two Hundred and Twenty-three honest Gentlemen, who signalized themselves in the Defence of the Rights of the Commons of England in the Point of Impeachments.

Berks.

Sir John Stonehouse, Bart.
 Anthony Blagrave, Esq.
 William Jennings, Esq.
 Thomas Renda, Esq.
 Simon Harcourt, Esq.

William Courtenay, Esq.
 William Pole, Esq.
 John Spark, Esq.
 Sir Joseph Tredenham, Knt.
 John Tredenham, Esq.
 Robert Rolle, Esq.
 Benjamin Buller, Esq.
 George Courtenay, Esq.

Bucks.

The Hon. James Herbert, Esq.
 The Rt. Hon. Will. Lord Cheney, Vis-
 count Newhaven,
 John Drake, Esq.
 Sir James Etherege, Knt.

Cumberland.

William Seymour, Esq.

Cambridgeshire.

Sir John Cotton, Bart.

Derbyshire.

Thomas Coke, Esq.
 John Curzon, Esq.
 John Harpur, Esq.

Cheshire.

Peter Shakerly, Esq.

Devonshire.

Sir John Pole, Bart.
 William Courtenay, Esq.
 The Hon. Sir Ed. Seymour, Bart.
 John Snell, Esq.
 Sir Christopher Musgrave, Bart.
 Thomas Coulson, Esq.
 The Hon. Cha. Trelawny, Esq.
 William Harris, Esq.
 Thomas Northmore, Esq.
 Nicholas Hooper, Serj. at Law.
 Arthur Champneys, Esq.
 Richard Hele, Esq.
 Sir William Drake, Knt. and Bart.
 Sir Thomas Leare, Bart.
 William Stawel, Esq.
 Nathaniel Herne, Esq.
 Fred. Herne, Esq.

Cornwall.

The Hon. John Granville, Esq.
 James Buller, Esq.
 Rt. Hon. Henry Lord Hyde,
 William Cary, Esq.
 William Bridges, Esq.
 Thomas Dodson, Esq.
 Sir John Molesworth, Bart.
 John Hoblyn, Esq.
 Thomas Carew, Esq.
 Francis Scobell, Esq.
 The Hon. Francis Godolphin, Esq.
 Sir Henry Seymour, Bart.
 Sir Richard Vivian,
 Samuel Trefusis, Esq.
 Alexander Pendarves, Esq.
 John Manley, Esq.
 John Williams, Esq.
 John Hickes, Esq.
 Henry Flemming, Esq.

Dorsetshire.

Thomas Strangeways, Esq.
 Nathaniel Napier, Esq.
 The Hon. Cha. Churchill, Esq.

George Saintloe, Esq.
 Sir Christopher Wren, Knt.
 Edward Nicholas, Esq.
 George Pit, Esq.
 John Bankes, Esq.

Durham.

William Lambton, Esq.
 Sir Henry Bellasyse, Knt.

Essex.

Sir Charles Barrington, Bart.
 Sir Thomas Cook, Knt.
 William Fytch, Esq.
 John Commyns, Esq.
 Dennis Lyddel, Esq.
 Sir Thomas Davall, Knt.

Gloucestershire.

William Master, Esq.
 Charles Cox, Esq.

Herefordshire

Sir John Williams, Knt.
 Henry Gorges, Esq.
 Thomas Foley, Esq.
 Hon. James Bridges, Esq.
 Edward Harley, Esq.
 Robert Price, Esq.
 John Birch, Esq.

Hertfordshire.

Thomas Halsey, Esq.
 Ralph Freeman, jun. Esq.
 George Churchill, Esq.
 John Gape, Esq.
 Charles Cæsar, Esq.
 Richard Goulston, Esq.

Huntingdonshire.

John Proby, Esq.
 Hon. Charles Boyle, Esq.

Kent.

Sir Thomas Hales, Bart.
 Henry Lee, Esq.
 Francis Barrel, Esq.
 Thomas Bliss, Esq.
 Thomas King, Esq.

Lancashire.

Richard Bold, Esq.

Robert Heysham, merchant.
 Thomas Legh, of Lyme, Esq.
 Thomas Legh, of Ridge, Esq.
 William Clayton, Esq.
 Thomas Johnson, Esq.

Leicestershire.

James Winstanley, Esq.

Lincolnshire.

Hon. Charles Dymock, Esq.
 Sir John Thorold, Bart.
 Sir John Bolles, Bart.
 Arthur Moore, Esq.
 Hon. William Cecil, Esq.
 Hon. Charles Bertie, Esq.

Middlesex.

Warwick Lake, Esq.

Norfolk.

Robert Davy, Esq.
 John Nicolson, Esq.
 Sir Thomas Hanmer, Bart.

Northamptonshire.

Sir Justinian Isham, Bart.
 Thomas Cartwright, Esq.
 Gilbert Dolben,
 Thomas Ekins, Esq. defunct.

Nottinghamshire.

Robert Sacheverel, Esq.

Oxon.

Sir Robert Jenkinson, Bart.
 Sir Edward Norreys, Knt.
 Hon. Heneage Finch, Esq.
 William Bromley, Esq.
 Thomas Rowney, Esq.
 Francis Norreys, Esq.
 Hon. James Bertie, Esq.
 Hon. Charles North, Esq.

Rutlandshire.

Sir Thomas Mackworth, Bart.
 Richard Halford, Esq.

Salop.

Robert Lloyd, Esq.
 Richard Mitten, Esq.
 Sir Edward Acton, Bar.

Sir Thomas Powys, Knt.
Francis Herbert, Esq.
Henry Brit, Esq.

Somersetshire.

Sir Philip Sydenham, Bart.
Nathaniel Palmer, Esq.
Alexander Popham, Esq.
William Coward, Serj. at Law,
Henry Portman, Esq.
Sir Francis Warr, Bart.
Sir Thomas Wroth, Bart.
Alexander Lutterel, Esq.
Sir Jacob Banks, Knt.
James Anderton, Esq.
John Hunt, Esq.

Southampton.

Frederick Tilney, Esq.
Anthony Burnaby, Esq.
Thomas Hopson, Esq.
William Ettrick, Esq.
Francis Gwyn, Esq.
Sir George Rook, Knt.

Staffordshire.

Edward Bagot, Esq.
Richard Dyot, Esq.
Thomas Foley, Esq.
Sir John Leveson Gower, Bart.
Rowland Cotton, Esq.
Hon. Henry Thynne, Esq.

Suffolk.

Rt. Hon. Lyonel, Earl of Dysert,
Sir Samuel Bernardiston, Bart.
Sir Charles Blois, Bart.
Robert Kemp, Esq.
Sir Edmund Bacon, Bart.
Sir Edward Turner, Knt.
Sir Henry Johnson, Knt.
William Johnson, Esq.

Surry.

Morgan Randyl, Esq.
George Woodroffe, Esq.
George Vernon, Esq.

Sussex.

John Miller, Esq.
William Elson, Esq.
John Lewknor, Esq.
Charles Sergison, Esq.

Sir Robert Fagg, Bart.
John Conyers, Esq.

Warwickshire.

Sir John Mordaunt, Bart.
Sir Charles Shuckburg, Bart.
Sir Christ. Hales, Bart.
Hon. Francis Greville, Esq.

Westmoreland.

Henry Grahame, Esq.
Gervase Pierpoint, Esq.

Wilts.

Charles Fox, Esq.
John Gauntlet, Esq.
George Morley, Esq.
Reynolds Calthorp, Esq.
Hon. Henry Bertie, Esq.
Hon. Robert Bertie, Esq.
Sir Francis Child, Knt.
Rt. Hon. Sir Charles Hedges, Knt.
Edward Pauncefort, Esq.
Henry St John, Esq.
John Jefferies, Esq.

Worcestershire.

Sir John Packington, Bart.
Samuel Swift, Esq.
Edward Foley, Esq.
Hugh Parker, Esq.
Salway Winnington, Esq.

Yorkshire.

Robert Byerly, Esq.
Anthony Duncomb, Esq.
Sir Bryan Stapylton, Esq.
Sir Godfrey Capley, Bart.
Cyril Arthington, Esq.
Sir Michael Wharton, Knt.
Sir John Bland, Bart.

Cinque Ports.

John Brewer, Esq.
Edward Goulson, Esq.
John Hays, Esq.

Wales.

Rt. Hon. Richard, L. Visc. Bulkeley.
Robert Bulkeley, Esq.
Sir Jeffery Jefferies, Knt.
Lewis Pryse, Esq.
Henry Lloyd, Esq.

Hon. Thomas Bulkeley, Esq.
 Sir John Wynne, Knt. and Bart.
 Sir Richard Middleton, Bart.
 Edward Brereton, Esq.
 Sir Roger Moyston, Bart.
 Sir John Conway, Bart.

Thomas Mansell, of Margam, Esq.
 Thomas Mansel, of Britton-Ferry, Esq.
 Edward Vaughan, Esq.
 John Vaughan, Esq.
 Thomas Harley, Esq.
 The Hon. Robert Harley, Esq. Speaker.

Divers other worthy members concurring with these, had been comprehended in this list, had not their necessary affairs detained them from being present at the occasion of it.

The Presbyterians Plea: Setting forth their great Services done to the Church of England, and good Correspondence between them, from the Reign of King Charles I. to the present Time. Humbly addressed to the Right Honourable the Peers of England, with their dutiful Acknowledgements for their late Goodness towards them, in rejecting the Bill against occasional Conformity. 1705.

Occasional conformity was the source of most of the disputes in the earlier part of Queen Anne's reign. The House of Commons, in which the high-church party strongly predominated, made repeated attempts to carry through an act for preventing all persons, who, having taken the sacrament and test for offices of trust, should again frequent any dissenting place of worship, from continuing to hold their employments. Such a bill was sent up to the House of Lords in 1702, and rejected by them. A revised and amended bill against occasional conformity again passed the Commons in 1703, and was again lost in the House of Peers. In 1704, a third attempt was made by the high-church party to carry this favourite measure; the question was debated in the House of Lords, where the queen herself was present, and the bill sent up from the Commons against occasional conformists was thrown out by a majority of thirty-one voices.

These repeated defeats in the House of Peers occasioned some disputes between the parties, and a great deal of ill language and abuse among the pamphleteers, of which the following Tract is an example. The presbyterian plea is, of course, to be understood ironically. The author appears to have been a Jacobite as well as a high-church-man.

My Lords,

The late extraordinary marks of your piety and goodness towards us, with the concurrence of the lords spiritual, in rejecting the bill of the House of Commons for preventing occasional conformity, have put us upon these two main considerations: First, whether your lordships flung out that bill upon the Christian principles of true piety and justice, with regard to the purity of the doctrine we profess, as being sound members of the true catholic and apostolic church? Or, secondly, whether it was the effect of some temporal and worldly consideration, in order to serve a turn in this present juncture, and to make use of us at this time, with intentions to animadvert more severely upon us hereafter, when our assistance may be thought less necessary, and the success of this chargeable war shall so far answer your hopes and desires, that you shall

think yourselves under a settled and permanent security, not to be dangerously interrupted, either at home or from abroad?

My lords, we have thought ourselves under some obligation to make some enquiry into these two points impartially, that we might take the more steady resolutions of paying our just acknowledgements (in some measure) proportionable to the benefit received, even with a due regard to your lordships good intentions.

In order to satisfy ourselves concerning the first point, we have taken into our consideration (as being nearest at hand) with how much zeal the bill against occasional conformity was promoted in the last sessions, and how narrowly it then escaped being passed into an act; we considered that the House of Commons being the great representatives of the nation, it seemed to be the universal desire of the people that the bill should pass; it came up to your lordships house with a kind of *judente populo*, and the queen herself, being not only professedly of the church of England, as by law established, and had given repeated assurances of supporting that church by all reasonable methods that could be proposed, but she seemed very desirous and solicitous that the former bill (at least) should have passed; yet notwithstanding all this (and more that might be said) they both miscarried in your house. It is certain, that your lordships goodness, in concurrence with the Divine Providence, warded this dangerous blow from us. But, my lords, we must acknowledge ourselves struck with a kind of admiration, when we consider how great a majority of the lords spiritual joined with your good lordships in our preservation.

It is true, we ever looked upon your lordships and valued you as persons indued with all the qualifications becoming your great characters. We know you to be eminently pious, just, and honourable; and, in short, most worthy of the honours you possess, and the high places you fill: But give me leave to say, that learning, especially in ecclesiastical and spiritual matters, seems to be more particularly the partage of the lords the bishops; they are the persons appointed (as they say) by divine institution, to be our spiritual guides, they are our spiritual governors, they have their cities and their strongholds, they are fortified with strong bulwarks and ramparts, well garnished with store of ecclesiastical canons, heavy charged with ecclesiastical censures, and penal laws; they have their inferior officers, their deans and chapters, and many others too well known among us; they had long kept up their darling persecuting power, and all these furnished, and preserved to them by law.¹

Now, my lords, it seems wonderful in our eyes, how it should come to pass, that these very lords, the bishops, should voluntarily, and against the sense of the whole nation, dismantle their own garrisons, throw down their own bulwarks, and permit us, who had been looked upon as their enemies, and had been the chief objects of their persecuting power, to enter in among them (not to say upon them) by the same breach which they themselves had made. This amazement of ours was raised by so much the more, by how much they seemed to have acted contrary to the universal sense and practice of all mankind; no rule or principle has been adhered to with less exception to it, than that of being true to our own interest, whether in single persons, or societies, in spiritual, or in civil affairs; and yet, my lords, (if we may believe their own friends) after fourscore millions given to preserve their church, and one of the best bills brought in to defend it, that this bill should be thrown out by the bishops themselves, who were looked upon as its great conservators, seems (as we said) to contradict the most natural, and, by consequence, the most unquestionable principle of mankind.

For our own parts, we shall make no difficulty to assure your lordships that we have been, and are, and shall be eternally, true to our own interest; and though we have

¹ A majority of bishops voted against the bill for preventing occasional conformity. The bench was chiefly filled with low-church divines, who had been selected since the Revolution as the fitter objects of preferment.

sometimes remonstrated against acts of conformity and uniformity in other cases, yet no society of men are more uniform in maintaining this principle than ourselves, whether we regard our temporal or our spiritual concerns. What interpretation then shall we make of so unprecedented and unaccountable an action? We have thought sometimes (upon this occasion) that those great, pious, and learned men, the lords spiritual, might be touched with a true sense of our merits, as well as of the purity of our doctrine, who are now admitted into their communion: And indeed, my lords, (speaking without vanity) we may presume to say, that we are not altogether undeserving this mark of justice and gratitude, which we hope your lordships had in your thoughts, when you twice cast out the bill of occasional conformity.

Give us leave, therefore, to remind your lordships of some few remarkable instances wherein we have been highly serviceable to the church of England; we shall not go beyond the memories of some now living, nor the knowledge of any that has been never so little acquainted with our modern histories: We shall therefore date our services from the beginning to the end of the reign of King Charles the First.

It is well known how that unfortunate prince (being much influenced, as it was thought, by the queen and the priests which she had about her) became universally obnoxious to his people, upon the pretence of his being (at least) popishly affected. The often suspending the penal laws in favour of priests convict, and other favours shewn to papists, increased the people's fears and jealousies, together with their animosities, till at last he was looked upon to be a very papist himself, and most of the lords spiritual popishly affected: We beseech your lordships to recollect with yourselves, who or what party it was that delivered your church and the people from that most imminent danger of (the worst of all evils) popery. Who they were that ventured their lives and fortunes, and the loss of their dearest blood, for your security; and (in a word, when all other means seemed either impracticable, or unsatisfactory) who they were that brought that unhappy prince to the scaffold, rather than suffer popery to over-run the protestant church of England? We could remind the lords the bishops also of some of their own predecessors who came much to the same end, upon the same account; and lest there should remain any relics of popery among them, to the disturbance or danger of the church of England, who were they, my lords, that turned their whole order and ordination out of house and home (as we say) for the preservation of the whole body, which had not yet been tainted with that dangerous infection of popery?

We beseech your lordships to remember also, whether, during the government of the Protector, popery was not persecuted with more violence than ever, and whether the church of England, or the people, had any manner of apprehension of popery during his whole administration.

We acknowledge, my lords, that we have since been much censured by some among ourselves, for being in those days over officious in the pursuit of your security, and that things were carried on with too much violence, even to the last extremity; it is true, these hard censures grated a little upon us, especially from people who had reaped the benefit of our miscarriages. But, my lords, to make some atonement for what might have been done before amiss, please to consider again, who it was that restored and settled his son, King Charles II. upon the throne! We must ever own, that (howsoever he treated his old friends) he was ever grateful to us; we were put into places of trust, honour, and profit; and during our administration of affairs, we were so solicitous for the establishment and glory of the church of England, that we permitted the good bishops to be recalled and seated in their places, and their lands (which had been alienated, and bought by some of our own party for valuable considerations, though we were but in a manner their trustees) to be restored gratis to them.

These, my lords, were our just and generous proceedings in relation to the church of England, till at last, that very church (forgetting the obligation she had to us) their

lordships got so much credit with that king, (which they used to our destruction) that his majesty turned us all out of his favour and employments, set the church of England party over our heads, and at last (taking the advantage by *quo warranto's* and forfeiture of charters) he had made such large steps towards the new-modelling the government, that our destruction seemed almost inevitable, when it pleased God to take him into another world. This, my lords, is matter of fact, and truly known to you all.

Upon the death of King Charles II. his only brother, the Duke of York, known by many, and believed by all, to be a zealous papist, yet, by the general consent of the church of England, as well as of ourselves, he was admitted, proclaimed, and crowned King of England, and anointed by the hand of his grace the Archbishop of Canterbury himself; all things went prosperously with that prince for the first year of his reign; your lordships and the parliament stuck close to him; but his majesty having duly and well considered our former behaviour and deserts, and being of a principle averse to persecution for conscience sake, in matters purely spiritual, (which he had learnt from our Saviour himself and his apostles) he demanded of his parliament, (after a manner a little more peremptory than usual) that the penal laws might be taken off, that liberty of conscience might be granted in a parliamentary way; and in order to facilitate this, his majesty thought fit to put out his royal declaration in favour of liberty of conscience, enjoining the bishops to read, or cause it to be read, in their several dioceses all over the kingdom, that his people might know (as it were from his own mouth) the truth and sincerity of his pious intentions.

Your lordships remember very well, that the bishops generally refused to read, or cause his majesty's declaration to be read, which was a kind of spiritual rebellion; and that the bishops incurred a *premunire* for their disobedience to their supreme ordinary; and in a most particular manner, head of their church, over all things, and in all cases, and over all persons, ecclesiastical as well as temporal. Their lordships could not, or ought not to be ignorant, that all sovereign powers have an undoubted right and authority within their own dominions, to command or restrain whatsoever is not positively forbidden or commanded by the express law of God. They might have consulted the learned Grotius, a protestant, upon this point, in his treatise, *De Imperio summarum Protestantum circa Sacra*, where he declares positively for what has been already said, and gives many examples, both of pagan as well as christian emperors, who have, by their own authority, and *de jure*, commanded or forbidden things in ecclesiastical affairs, which were not contrary to the express law of God; and this had been frequently done, as a right inherent in the pagan emperors, even among their christian subjects; so that their lordships would have stood self-condemned before all the world, if they had not found out (by their quick and exquisite sense in such cases) that this declaration smelled rank of popery.

Now it was, that the super-imminent danger of popery began to touch their lordships; popery was in our councils, popery was in our houses, popery was at top of our houses, and a professed papist at the head over all. Several of the bishops were summoned before the king and council, and admonished of the *premunire* they had incurred. They adhered to their disobedience; upon which they were informed, that they must give in bail, or at least pass their words, that they would submit to a trial at common law, at the King's-Bench bar. They refused; upon which they were told, that by the course of law they would be committed to prison, and earnestly desired not to bring things to extremity; this is what they would be at, and accordingly some of them were sent to the Tower.

We all know, my lords, how heinously this was taken, as the effect of popery, and its design to destroy the church of England; the whole body, generally speaking, represented this act to the last degree, and looked upon it as an open invasion upon their church. The bishops themselves managed the order for their imprisonment with all the

aggravating circumstances imaginable, the better to raise the indignation of the people against popery and a popish king. They turned off their servant, sold their goods, took their last farewell of their friends, and made their last wills and testaments, as if they had gone directly to martyrdom, in defence of their church, against the visible and violent invasion of popery upon the nation.

Your lordships must need know how active we were, (contrary to our own interest, and the gratitude we owed the king, who then, and afterwards, suffered for our sakes;) your lordships, I say, must needs know how we cried up the zeal of the bishops for the support of the protestant religion, how we clamoured against the violence done to their sacred order by a popish king and his popish council; how we animated our own party, and encouraged yours, and at length, when their lordships were brought to their trials at the King's-Bench bar, let it never be forgotten how our party filled the Palace Yard and Westminster-Hall itself; how we made a lane for the towering bishops to come, as it were in triumph, to their trials, and how we ourselves, who had never as yet bowed the knee to Baal, yet nevertheless, upon this occasion, we fell all down upon our stumps, and received the blessing which their good lordships generally gave us, when upon another occasion we should as soon have received holy water from the hand of an idolatrous papist; so we stuck at nothing to secure the church of England from this pressing danger of popery.

Soon after this, when their lordships were at liberty, and had gained this point, but still wonderfully apprehensive of popery, one of them, together with some of the lords temporal, invited the Prince of Orange into England, to be their saviour and protector against popery. This appears by his highness's declaration, which could not contain any untruth. All this while we concurred with their lordships, we never abandoned them, and were ourselves a kind of a guard to defend their sacred persons, until at length (to pass by many material circumstances) his highness landed, the king retired, was made a prisoner, and at last made his escape into France.

Now it was that several of the nobility and clergy assembled at Guildhall, in the city of London, where our party was most prevalent, and there solemnly invited the Prince of Orange to town, in order to take the protection of the church and state upon himself. So zealous were their lordships to prevent the great danger of popery, and to establish their own security by our assistance, that they did not so much as reflect that they invited a prince to protect their church, who was a reputed enemy to it, and a natural-born Dutchman, and a servant (though a prince) to a commonwealth, (always our most powerful rival, and oftentimes our declared enemy) to defend our liberties and properties, and to advance the honour, wealth, trade, and prosperity of a nation which they always honoured.

We desire your lordships to consider after what manner we gave you this our considerable and seasonable assistance, not, as heretofore, by running into open rebellion for your sakes; we had been sufficiently snubbed for that by yourselves; but, my lords, we only assisted you with our councils and countenance, we made you the immediate instruments of your own preservation, and resigned entirely up to you the honour, as well as the advantage, of so glorious an action. I hope, my lords, it will not be denied that this was a high piece of generosity, and well becoming the best of your friends; and that you will not reproach us henceforward so grievously as you formerly have done, with the odious crimes of sedition, rebellion, or fighting against, or deposing our lawful kings, if we believe them guilty of mal-administration, and especially if we will think our religion is in danger.

We remember indeed, and were not a little surprised, to find some among yourselves declaring, and publishing, that you had given the most fatal blow to your church that ever had fallen upon it since the Reformation, and your establishment; (some have made much the same reflections upon your late just proceedings, in rejecting the bill

of occasional conformity ; but let that pass for the present) and that this was done by your backsliding and relinquishing your most glorious and distinguishing principle of loyalty, and indispensable adherence to the next heir in the right line, whether protestant or papist, Jew or pagan ; you had declared that the government of such a king was *de jure divino* supported by the laws of God and man ; that his person and character, or office, were not to be separated ; that neither of them was to be violated, nor violence committed against them, upon any pretence or cause whatsoever ; you had confirmed this by publick acts in the case of King Charles I. upon the restoration of his son, and in pursuance of this infallible and sound doctrine, your pulpits, almost all over the nation, beat up the doctrines of passive obedience and non-resistance ; the presses of London were almost totally employed upon the same subject ; your Thebæan Legion was set up, as a light upon a mountain, to guide and direct us in the true way of loyalty ; they were well nigh adored as martyrs and confessors, in that they made no resistance, though they had it in their power, when themselves and their religion also were both unjustly persecuted by heathen emperors ; yet, my lords, it must be confest, that immediately upon the Revolution, your doctrine of passive obedience was turned into ridicule, your Thebæan Legion was kicked down hill with indignation and contempt, and themselves looked upon as sots and fools for not resisting the violence of their lawful emperors.

My lords, we should not have touched upon this sort, if we had not some reason to believe that (by a kind of *inuendo*) these reflections are like to fall upon us, and our party, as if we had given our assistance and countenance with no better intent, than to make yourselves the instruments of your own destruction, and to bring so great a scandal upon that very church which we had so often endeavoured to preserve ; and, in short (to use a coarse expression, but common cant) that in effect we had bubbled your good lordships. God knows our hearts, how any such design was remote from our good intentions.

But, my lords, to clear this point, and free ourselves from such an odious aspersion, we could bring many parallel cases and examples, which would more than absolve us ; but we shall fix upon one, because it is an adjudging case. The monkey, my lords, took by force the cat's claw to pull a chesnut out of the fire, which, when done, was of no benefit to grimalkin, or the puss ; the cat brings her action against the monkey. The question was, whether the action was well laid ? And it was judged by the whole body of the law for the plaintiff ; and that the action was well laid, inasmuch as the monkey entered *vi et armis* upon the body of the cat, by which she was mutilated in her members, without any prospect of advantage ; but, my lords, it was also then and there declared for law, that if the monkey by persuasions, or any good reasons, or counsels, had prevailed upon the cat voluntarily to have done the same act, in order to oblige the monkey, the action had not been well laid ; and, notwithstanding any mischief suffered by the plaintiff, the defendant had been acquitted, and the cat must have paid costs and charges. We shall only mention one case more, and the rather, because it was solemnly debated by the doctors of both faculties ; I mean of the canon and civil law. It was the case of poor Ophelia. The question was, she being found dead in a river, whether she was *felo de se*, and by consequence ought to have a Christian burial ; but the case being, we suppose, as well known to your lordships as to ourselves, we shall trouble you no farther with it.

Thus, my lords, you see that we stand fully acquitted in the judgment of the law from that foul aspersion, at least as far as parallel cases can clear us.

And now, my lords, give us leave to proceed to the glorious reign of that invincible monarch and hero, King William, in which we shall give two such notable instances of our zeal and earnest endeavours to preserve the church of England from popery, that the most malicious tongues must withdraw themselves into their foul mouths, except

to publish our eternal glory, and sincere affections to your church, established by law.

Soon after our great King William was crowned, his first publick action, in relation to ecclesiastical affairs, was to establish our brethren, the kirk in Scotland, which now became the church of Scotland established by law, (a sure mark that it is the true church) as yours had been before of England. After this (well knowing our great merits, both as to our loyalty and the true principles of our religion) his late majesty, King William, made it his business to introduce us into his court, into his councils, and into his parliament, till in a short time we filled court, council, and parliament.

About that time it was, that the late King James, not believing that he was legally abdicated, but had still a right to recover his three kingdoms, he made a descent into Ireland, which he left much as he had done England. Scotland was soon up in arms, and his party began to look dangerous; the dreadful design of La Hogue[†] came violently upon us. All which put the church of England into so great an affright for fear of popery, and an injured king entering upon us, that, in order to secure themselves against so near and visible a danger, they once more made their application to us, now in great esteem and power. We received them, my lords, with a tender and brotherly affection, and being informed by themselves what was to be done for their service, they all agreed, that nothing could prove more effectual for their security, than to get an act passed, to exclude the said King James, and all his popish successors, and to settle the crown upon the next protestant heir by name, that the danger of popery might be removed quite out of their sight. My lords, we did not so much as boggle at it, but obtained an act of settlement *verbatim*, according to their desires, and they now enjoy the blessing of it.

The next great instance of our security for your preservation (which indeed may be called the crown of all the rest, being accompanied with extraordinary circumstances) happened to fall out soon after the death of the late King James; your lordships knew very well (and the nation was highly sensible of the affront) how the French king, almost as soon as King James expired, took upon him, very arrogantly, to declare that young gentleman King of England, whom he had acknowledged to have been the true Prince of Wales during his father's life; and by consequence the rightful heir and king after his decease. This, my lords, gave occasion to so many addresses, and, in short, brought in a great measure this just war upon us, to revenge the affront done to the whole nation, and particularly to his late majesty King William.

This accident, my lords, alarmed the church of England to the last degree; for when they had considered that the French monarch was very powerful, and had now drawn the succession of that vast monarchy of Spain into the house of Bourbon, in the person of his grandson the Duke of Anjou, and that most probably they would both unite, to the support of a prince whom they had both owned and declared, and had actually made their compliments accordingly, then it was, my lords, that your church was under no less apprehensions of the return of popery, both as to the nearness of the approach, as its terrible effects, than the dreadful pretended Irish massacre, about the time of the Revolution.

Well, my lords, what did the church of England do in this extremity? Why truly she did as she oftentimes had done before; she made her applications to us, her steady friends, and in few words she let us know, that nothing now could secure her, or at least prevent her fears, but an act of abjuration; that is to say, that we should pass an act to renounce and abjure the pretended Prince of Wales by name, that God himself might now be brought in as a witness, as well as a judge, of our just endeavours to preserve the true catholick and apostolick church of England from the invasion of

[†] The threatened invasion from France in behalf of King James.

superstition and idolatry. We must confess, my lords, that this was a great trial, and our stomachs began a little to grumble upon the point, for hitherto we had had little to do with God Almighty : But, however, that nothing might be wanting on our parts to oblige you, and assist you in your greatest distress, a bill was brought in according to your desires, and it past both houses with as much expedition as most had ever past before. But it so happened that our invincible monarch lay at that very instant upon his death-bed, and could not possibly come to your house to give the royal assent.* Your lordships seemed then to be in a very deplorable and desperate condition, not knowing, or rather much fearing, what might happen in the next session, upon the irreparable loss of our protector and saviour.

Now, my lords, who was it but ourselves that relieved you in this your last extremity ? It was we ourselves that prevailed with the expiring monarch, who (according to the judgments of his physicians) had scarce time to look after his own eternal salvation, yet nevertheless we obtained of him, for your sakes, to grant a commission, and appoint delegates to pass that very bill into an act, which accordingly was done ; soon after which, that great monarch gave up the ghost.

We should now finish, with his never-too-much-lamented death, this long account, which, with modesty and truth, we have laid before your lordships, of those signal actions committed by us in favour of the church of England, and which we hope we may well call meritorious ; but we beg your lordships patience for one moment longer, that we may mind you of a very friendly and endearing office which we performed from time to time, during the whole reign of King William, in which we scarce missed any opportunity of serving you.

We found, my lords, that the many occasions which you had to consult with us, and ask our assistance, began to be not only troublesome to you, but also suspected, and some of your weaker brethren began to be jealous, and not a little scandalized at the intimate correspondence which they perceived had been carried on between you and us ; to prevent therefore all manner of difficulties and reproach which might have fallen upon you, and yet put ourselves in a better posture to serve you, it is evident, my lords, that out of pure friendship to you, we promoted from time to time, during the whole reign of King William, the most addicted and devoted to our interest and religion, to all places and employments, both in church and state, even from the highest to the lowest degree, as far as it was in his majesty's power to prefer them ; and all this we did to the very intent and purpose, that they being intimately near and dear unto your lordships in all places, they might, as it were, by certain pipes and channels, convey your lordships commands to us, as the great receptacles of favour and power, and after such a manner, that few did or could take notice, much less offence, at the strict correspondence between us.

This, my lords, is a high strain of courtesy and goodness, which can hardly be paralleled ; and we appeal to your lordships, whether, upon her majesty's accession to the throne, you did not observe men of our principles very numerous in your house, as well as in many other great employments, generally throughout the whole kingdom.

We need not mind your lordships after what manner we have acted since her present majesty's happy accession to the throne, her own great goodness towards us is a sufficient evidence of the good opinion she is pleased to conceive of us, and our sincere affection towards the church of England. We might offer many instances to prove this truth ; but, my lords, let this last mark of our integrity, and special care for the preservation of the church of England, be *instar omnium*. Your lordships

* Upon 4th March, 1701, King William (then extremely ill) granted a commission to several peers, in order that they might give the royal assent to the bill which had passed both houses of parliament for abjuring the Pretender.

are very sensible of the great divisions and schism in the church of England, and their animosities are grown to that height, that they are in a fair way to endanger the whole. Now, my lords, what can be the reason of our great diligence and practices (for which some of us may be called to account) but to procure a majority of worthy members to serve in this next parliament, except it be to strike in, and join with that sound part of the church of England, according to her present establishment, in opposition to our highfliers, your nonjurors, jacobites, and papists? This is so evident, that we think it needs no proof.

We shall not question your opinions concerning the purity of our doctrine, since you have solemnly admitted us, or at least qualified us to enjoy any manner of employments whatsoever among you; we shall therefore end our enquiry into the first consideration, which might serve also as a sufficient answer to the second; yet, my lords, we must once more crave leave to speak one word or two as to that point, and we have done.

The question is, Whether your lordships flung out the aforesaid bills upon any worldly or temporal design, in order to serve a present turn, &c. My lords, we think ourselves obliged to purge you from any such mean thoughts, either of yourselves or us. It is not that we make any great doubt, whether your lordships, for the public good, might not think fit to cast some fine specious lures before us, in hopes to bring us down, and then take us upon your fist, and hood-wink us at pleasure; but, my lords, we have not accustomed ourselves to stoop to any imaginary prey instead of the real one. Your lordships know very well, or at least we have given you sufficient reason to be persuaded, that we are ever true to our own interest, and, of all other societies, the least capable of being made a property, or (in the vulgar cant) to be made bubbles to any one. From whence it must follow, in order to justify the sincerity of your lordships' proceedings, that if we had thought it our interest to support the papist government in this present juncture of affairs, it is certain, my lords, that if you had passed a hundred bills against us, we should have stood by and supported the government, from the immutable reason of believing it our interest so to do. On the other side, if your lordships had passed as many more bills in our favour, yet, if we should think it our interest to decline our assistance at any time, we should no more bite at your annuities, though you had enlarged them from three lives to three hundred lives, than we should voluntarily dash upon a rock, or run our vessel upon a quicksand, in hopes to have saved a poor miserable life; and all this, my lords, from the most sacred, the most inviolable, and eternal principle of being true to our own interest.

But give us leave also to tell your lordships, that we are not altogether of so mercenary a spirit, as to mind only our worldly interest. No, no, my lords, we have a more excellent and sublime mark that we aim at, we have a more glorious race to run, and a price set before us infinitely more precious to obtain; to which our worldly concerns are chiefly subservient, and in the pursuit whereof we never have, nor never (by God's grace) shall faint or be discouraged. To be plain with you, my lords, the great end we aim at is, the enlargement of our apostolick church in the purity of the doctrine which it professes; not after a precarious manner, ever wanting to be bolstered up with dispensations, tolerations, and bills of occasional conformity; but, my lords, we hope to see it triumphant, as it has been long military, in this world, and all glorious in the world to come.

Be not alarmed, my lords, at this our frank declaration, which you have sufficient reason to believe is sincere. Nor need your lordships be under any apprehension or consternation at the steps we have made, and ever shall be making, towards the attaining this inestimable treasure; the glory of God, and our own consciences, oblige us to be indefatigable in the pursuit; for, my lords, you may depend upon us, that we will shew the same favour and brotherly charity towards the church of England as she

has ever shewn to us ; we will mete to you in the same measure that you have meted unto us. Enlarge your steps then towards us, as we have done towards you; let peace and righteousness kiss each other in this our age; all things seem disposed to such a blessed union, we are already in your bosoms, and you are obliged to nurse us in it; you cannot shake us out. Be not guilty of a dangerous *opinitretè* and impotent obstinacy; we have fought a good fight, and your lordships have made a great and long defence; hitherto you have well deserved the title of courageous; but, my lords, to suffer yourselves to be taken by storm, when you may have honourable capitulation, is quite contrary to the law of arms, and you will be looked upon as criminal instruments of your own misfortunes, rather than gallant defenders of a post which you came into by a kind of invasion, and which you cannot much longer fairly maintain. As to any retaliation in prejudice of the Act of Settlement, believe us, we fear it as little as yourselves.

Thus, my lords, we have ended our enquiry into the two aforesaid main considerations, and upon the whole matter, we have given the cause entirely for yourselves; that is to say, that your rejecting these bills of occasional conformity was not the effect of an effeminate compassion, not any little worldly respect to serve a turn, but that it proceeded from your gratitude, piety, and justice towards God and towards man. Do not imagine, my lords, we think ourselves dispensed with from the obligation of paying you our profound acknowledgments. No, my lords, they are by so much the more enhanced, as you have fixed whatsoever favour you intended us to the pillar of justice which being eternal, we return your lordships proportionally our everlasting thanks; we humbly beg leave, in a more particular manner, to salute the right reverend and the reverend lords spiritual, who gave their votes for passing the before-mentioned bills in the words of St John the evangelist, dictated by the Holy Spirit to the church of Ephesus, Rev. ii. 5. "Remember from whence thou art fallen and repent, and do the first works, or else I will come unto thee quickly, and will remove thy candlestick out of its place, except thou repent."

The Case of Dissenters, as affected by the late Bill proposed in Parliament, for preventing Occasional Conformity. By a Gentleman. 1703.

This Tract follows up, and enlarges upon the arguments alleged by the leading members of the House of Commons, in favour of the bill against occasional conformity. In a conference held between the two houses of parliament on this subject, the managers and the Commons alleged, "That the intent of this bill was only to restrain a scandalous practice, which was a reproach to religion, and gave offence to all good Christians." They further urged, "That this bill enacted nothing new, and was only intended to make the laws in being more effectual; that this bill appeared to the Commons absolutely necessary for preventing those mischiefs which must prove destructive to the church and monarchy; that an established religion, and a national church, are absolutely necessary, where there were so many weak men to follow them; that the only effectual way to preserve this national church was by keeping the civil power, the profitable places, in the hands of those whose principles are conformable to it; that the

parliament, by the Corporation and Test Acts, thought they had secured our establishment, and provided a sufficient barrier to disappoint any attempts against them, by enacting that all in offices should receive the sacrament according to the usage of the church of England, and never imagined a set of men could at any time rise up, whose consciences were too tender to obey the laws, but hardened enough to break them."

THE Spaniards use to glory in the wide extent, and pure catholicism of their dominion; the Italians, from a pretension of superior politeness and sagacity, condemn all Tramontanes; the modern French make to themselves a daily triumph of the successes of their Grand Monarch; why may not my countrymen as well exult, that the laws, by which we are governed, are no other than such as ourselves, by a due representative, have chosen? Oh happy England! May thy people esteem, as it deserves, a benefit so singular! May that noble representative of thine, called to be guardians of this blessing, never want foresight to discover, and prudence to prevent, the dangers which may arise to threaten it!

The ordinary method with us is well known to be, that the addition of new laws, or amendment of old ones, are proposed first by the Commons of England, and immediately public notice given when the same are to come under a solemn debate; which being several times adjourned, there arises opportunity sufficient for the subjects, from all parts of the kingdom, to communicate to the respective members of parliament, their opinion severally thereupon; so that in this respect seldom any thing of importance is concluded concerning the good people of England, without their own tacit consent at least, over and above the benefit of their being represented in common. Such being then the case, we cannot celebrate enough our happiness; we may basely overlook, but once to lose it would be misery to us beyond expression.

'Tis frequent, moreover, for our laws to be made temporary first, till the experiment of a few years has recommended them for perpetual. As for those of the highest concern, when the benefits or effects are liable to doubt, we have seen some bills undergo the scrutiny of several succeeding sessions of parliament, before they passed the signature of authority. Sometimes also our courts of legislature, when the inducements and reasons of a bill were not obvious to common eyes, or at least liable to misconstruction, have thought good to lay the same before the public, that their tender regards of general emolument might the better appear.

Having observed various methods of our propitious legislature, an instance of several of them, but more especially the latter, we are here to consider; I mean the late bill for preventing occasional conformity, which was so differently apprehended in the last session of parliament, as no debates during it were able to reconcile; but that matter is of such concern, that the proceedings thereupon being printed by authority, it seems not unworthy every true lover of his country, to put the same into the best light possible, in order to form a right judgment, how a bill like unto that (if at any time hereafter such should be proposed) may affect the commonweal; seeing the opinion which shall prevail thereof, there can be no doubt, will be duly weighed by our representees; and because one intention of our lawgivers, in publishing the account of their proceedings upon that bill, might be (not improbably) the better to collect the common judgment upon it, a desire to be assistant unto that, with a concern lest unhappy animosities should grow among us, did engage me to draw into a clear and familiar method of discourse, what is very obvious touching that matter.

The bill, which is the designed theme of what follows, I understand such as it passed last session the House of Commons, with the several amendments agreed afterwards;

touching which, that my argument may be the more distinct, I take the liberty to digest it under three heads, which are easily discernable on reading the said bill, viz. The preamble, extent, and penalties, due reference being had thereto; however, these few things ought to be premised, First, That the whole of it is prudential and political, not censuring directly the persons and cause of the dissenters beyond the point of bearing offices, nor interdicting any to be present at their assemblies, except such as are engaged in the magistracy, or places of trust, thereby leaving the matter of conscience as it stood before. Secondly, The communion of the Lord's Supper is considered herein as a discrimination merely civil; so that though papists and protestant dissenters are excluded from offices thereby, yet is there no provision by the law to render the same a bar to the prophane and scandalous; which is a consideration seems to concern the honour of the church of England, as well as the good administration of the several trusts to which it initiates: But because, Thirdly, Several cases in religion might be reducible under the subject of this bill, I shall comply with the obvious intentions of our lawgivers, and confine my discourse as much as may be to a secular vein. To proceed therefore to the bill.

First, Touching the preamble of it, it were not easy, peradventure, in so few words, for our supreme governors to have given more satisfaction to scrupulous consciences than in the religious declaration, that serves as an introduction here; because therein the sense of the present government appears, that those severities, under which the dissenters groaned, before the late act of indulgence, were then to be deemed persecution for conscience sake; under which acceptance it is, that their exemption from them for the future (unless new matter of secular offence to the government arises) is to stand upon foundations no less safe than the profession of the Christian religion, and particularly the doctrine of the church of England. This is the highest attestation can be, that the dissenters are no longer to be looked upon obnoxious to the church and state, or chargeable with schism, sedition, and rebellion, as the former laws (now suspended) did insist they were; so that the reason given by those laws ceasing, and since it is on all hands agreed, great advantages have accrued from the act of indulgence, they may henceforth expect, with the rest of their fellow subjects, to partake the serenity and benignity of a government, which in all other things ever was, and now is, the most clement under the sun. This is the bond of engaging goodness laid upon them for ever; so that as since the late glorious Revolution they are found equally affectionate as others to the interests and settlement of the crown, all the former stigmatizing brands upon them are done away.

As to the recital of the present state of law, which follows the religious declaration, (that it provides already every person admitted into any office should be conformable to the church) the words of it cannot be taken in the strictest sense, there being many offices and employments, to which persons have been, and may be now admitted, without lying under an obligation to receive the sacrament, or be conformable on that account: For instance, offices of inheritance, and in the forests, non-commission offices in the fleet, with many more; therefore what is asserted in this paragraph in the general, we must understand to relate to such persons and offices only as are subsequently mentioned in the bill; but if those who break the intention of a law break the law, it were fit and desirable, that no words (if possible) might be used in any, which in the sequel may lead men into mistakes touching that intention.

The last clause of the preamble gives a very just description of the case which the bill is designed to bring a remedy for; that is to say, no man ordinarily frequenting private meetings should qualify himself for an office, by receiving only on that account the sacrament with the church. Now, that nothing however be understood beyond the natural sense of the words thereof, I take these two things not to be absolutely concluded in them. First, That whilst conforming only for a place has a brand of scandal

affixed on it, yet it does not follow that occasional conformity otherwise (without such design) ought to be reproached; for as to such persons, who join themselves to their Christian societies severally, as taking the conduct of them to be most agreeable to the word of God, and because it pleases the sovereign spirit of grace to co-operate more evidently upon them therein, for such to go sometimes to a divine service, different from what they frequent and chuse, is an expression of charity to others, and ought not therefore to be blamed. Secondly, It can no ways be taken for concluded, that a censure upon the conformity in this bill mentioned does imply going to a meeting to be *malum in se*, or savouring of faction, or criminal, illegal, and schismatical, as the superseded laws did constantly assert; for the mention of it, as allowed by law, does demonstrate the contrary; the manifest and primary purpose of this bill being rather to keep dissenters from the church, than others from a meeting; however, the mutual freedom in this point, to the great glory of our times, savours of that charitable moderation, so remarkably eminent in the primitive ages of Christianity, as to occasion those universal laws in the creed, for every one to believe the holy catholic church and the communion of saints.

Secondly, The enacting part of this bill I term the extent of it, because it describes both the crime and the offices thereby to be affected, whereof distinctly; first then for the crime; the definition of it herein is the same with that in two several acts to prevent and suppress seditious conventicles; and 16 and 12 Car. II. so that what was criminal by them to all persons, becomes again so by this bill to those in office; the qualification for offices, by express terms of law, required at present, is, in this respect, no more than once previously to receive the sacrament with the church; but the conformity which would be required herein, is, (besides that) never, after once taking an office, to be present at any conventicle or meeting, under colour or pretence of any exercise of religion; in other manner than according to the liturgy and practice of the church of England, where five (more than the family) shall be. This is a sort of qualification for offices widely different (as any may see) from what the law requires now; and we must observe, that, throughout the bill, such terms are only used as have been commonly appropriated to protestant dissenters; however, to be present at mass is tacitly included.

We do not go about to intimate that the injunctions of the law at present, to receive the sacrament according to the rites and usage of the church, do not in the primary meaning of them imply, that the persons ought to be of that communion; however, none can deny, but they will very well bear a larger sense also, whereby none ought to be excluded offices, who can give a public testimony they esteem a communion with the church lawful; which latter acceptation of the laws, though the generality of dissenters stand excluded by it, has all along, for forty years past, brought into the service of the government (without very visible ruinous effects) no inconsiderable number of men, whom the proposed bill, in all appearance, would finally render incapable.

Whether it may be for the public benefit any longer to suffer the same latitude in reference to dissenters, belongs only to the supreme powers to judge; but, granting here that it were not, we do with all humility offer to consideration, whether gentler methods be not more agreeable to the English temper, constitution of government, nay, and the interest of state, so the end may be duly attained; in the case then before us, if the government, for example, should require from the established church, instead of one previous communion (which is all in the law expressed) that men in office should attend four times yearly, or oftner, at the sacrament, would it not be equal security to the state, and greatly for the honour of the church, but give no matter of offence or jealousy to the dissenters? Whereas, if the qualification for offices is to consist not so much in frequent and devout attendance on the publick celebrations, as in a distance and aversion to dissenters, this cannot but minister just cause of fear, that

those assemblies, at which once to be present exposes to so great a censure, are not likely to continue long allowed by law.

No man can doubt but a censure of this kind would prove a notorious mark of infamy upon the assemblies of dissenters, and in that respect, would affect them beyond the case of offices; and the revived definition of a conventicle, being under the pretence and colour of the exercise of religion, it deserves to be considered whether it might not be construed to allude to, and imply somewhat of those dangerous practices the suspended laws have connected with the said definition. But there are other obvious inconveniences in this new method of qualification; for it would expose more a great deal than the present way (as will be shewn elsewhere) to the predatory mercy of informers; it debars the common natural respect of relations, in baptisms, funeral sermons, and the like: It casts a hazardous discouragement upon family prayer, whereat often, among persons of quality, and sometimes others, more than five may happen to be present; and it brings all foreign churches under a censure too; whereas the act of uniformity provides, that the penalties thereof should not extend to any reformed churches of aliens, allowed, or to be allowed, by his majesty or his successors; some such have since had encouragement for their settlement from parliament, and have proved beneficial in manufactures to this kingdom; toward which their liberty of conscience, without reflection, has not a little contributed.

The second distinction I have made of the extent (or enacting part of this bill) is of the offices intended by it to be affected, which clearly falls under a twofold definition, one, the same with that in the act, 25 Car. II. "For preventing dangers which may happen from popish recusants;" the other of the 13th of Car. II. "For well governing and regulating corporations." Now, because this seems the most tender and sensible part of the bill, most liable to mistake, and upon the right apprehension whereof our judgment of the whole must very much depend, before I descend into a disquisition of it, I beg leave to deviate a little from the just method of discourse; and therefore, before I endeavour to prove what the bill, under this head, would have enacted—new, I will first lay down and consider the reason commonly alledged why the same ought to be.

What is commonly alledged, as the ground of the new provisions in this bill, amounts to thus much; that a national church being absolutely needful to a government, the only effectual way to preserve it, is by keeping the civil power in the hands of such whose practice and principles are agreeable thereto; and that this is equally necessary to the safety and peace of the state likewise; but, say they, the present laws proving too weak to secure those blessings, because they are eluded by occasional conformity, therefore there wants some new expedients to support them. These maxims we can readily grant; so far as the security and peace of the state appear undoubtedly concerned, so much is allowed on all hands for incontestible; but the matter in question before us seems to be, whether occasional conformity of dissenters has really endangered the safety, and violated the peace of church and state? Or has any principles in it disagreeable therewith? which matter cannot yet be taken for concluded, as the proceedings of parliament published do evince, and whereof therefore the present juncture and occasion give liberty to speak.

In order to examine then this matter aright, we think proper to distinguish the relation which the occasional conformity of dissenters may bear to the church and state severally; first, therefore, in reference to the state, occasional conformity (it may be agreed to us) is no new thing, but even coeval with the act of uniformity itself; so that in 40 years experience, if it were evident that injuries to the peace of the government had arose thence, how came it to pass they should be overlooked so long? But while several ways were taken to enjoin conformity, how occasional soever, it was in no kind before made penal to approve it, though thereby offices were attained; after such a large attestation from fact, it would be needless to say, occasional conformity of dissenters

has in itself no principles dangerous to the peace of the government, if there were not another sort of conformity which does obstinately maintain such as withdraw men from their allegiance to her gracious majesty, and from all respect to the present establishment of the crown; but as to principles, further than is obvious from practice, it is not my proper province to discourse, that being already sufficiently treated of by divines.

If the time past has not produced a necessity of any new provision against accidental or occasional conformity, I think we may be confident the present much less does; for if the laws already in being do intend, that men in office should be entirely conformable, her gracious majesty has assured all the world, there can be no danger from occasional conformity in this auspicious reign, by these words of her last speech to the parliament; "I shall always make it my particular care to encourage and maintain this church as by law established, and the least member of it, in all their just rights and privileges." And now having delivered my sentiment, upon observations of the past and present time, to go further would be to wade into the politicks beyond my depth. I can say nothing certain of futurity; but since the dissenters are known, beyond doubt, to be very cordially affected to the protestant succession, methinks, whatever qualifications may be judged requisite for places of magistracy and publick trust, they may well expect (beyond a provision for that) no hardships will be laid upon them now.

Secondly, to consider occasional conformity in reference to the church, it might suffice to say, the affairs of it (distinct from those of the state) do no ways lie under the cognizance of such, whom that may vest with government; but for what properly concerns the honour and welfare of the church of England, the first words of this bill do imply, that her greatest glory consists in the character of moderation, sweetness, and charity, truly christian and apostolick, and very justly; for this would recommend her to all the reformed churches of Christendom, as worthy to be acknowledged their chief and best. In the reign of Queen Elizabeth, all the papists in England came to church, and were occasional conformists, yet the government was not uneasy and in danger by it; but the pope, fearing what that was like soon to grow to, put a stop to it by bull, and the church of Rome does generally to this day encourage every thing like to occasional conformity of protestants; and the effects shew they are in the right and gain their ends by it. In like manner, can it be thought that the church has gained from any sort of the dissenters among us, as from those who have allowed and practised an occasional conformity with her? Has she not, by permitting it, obtained many useful and worthy members? Does not the practice of it weaken the dissenters, and increase her reputation and authority? Where then has been the damage to the church from occasional conformity? It would be difficult to shew what security, honour, or interest, she has lost, during the greatest indulgence to dissenters in the late reign, of any thing she possessed before that time, during the unspeakable sufferings of others; therefore it must be an accession of honour and safety unto her, that she is now, by clemency, become revered of those who formerly were suspected for her enemies.

Having thus made enquiry, what reason there is to apprehend that the safety of the church and state has been, or is, endangered by the latitude allowed to the dissenters, from the present condition of the laws, I proceed, according to promise, to enquire what alteration would arise on the head of offices from the bill now under consideration, which I shall do in two denominations of them; I mean, those comprehended in the test act, and those peculiarly affected by that for regulating corporations; premising here only, that the offices of the latter sort, which do directly fall within the test, I judge better to consider in that denomination, because thereby what remains will be more distinct and intelligible when we handle it apart.

First, for the test clause, which is the former in this part of the bill, without reciting the words of it, we may be allowed to say upon good authority, that manifestly and

indisputably it does comprehend all the considerable offices and employments of publick trust in the kingdom in which the security of the government may be concerned; the experience of 30 years past has justified the measures taken by that law, that it is extensive enough as to the several sorts of offices for publick security; the terms of it are express, clear, and universally understood, without any uncertainty as to what employments it relates, which is not so evidently in those of the corporation act; the said act includes all offices of magistracy, in especial, as well within corporation as without; and at the enacting of it, there was little regard had to the act for regulating corporations, because a more effectual security to the church was given hereby. It cannot be taxed as insufficient to compass the end designed by it, which was expressly to prevent dangers that might happen from popish recusants, and to exclude from offices all others who will not take the sacrament according to the usage of the church established. After this manner, and in a due medium, as would be easy in another sort of discourse to make appear, the safety and peace of the church and state have been fully provided for; nor have the measures of it to procure those been any ways (in particular the penalties) found deficient.

This act being so extensive and compleat, that it reaches whatever offices concern the safety of the government, and is not deficient in any means to attain its end. If dangers should from occasional conformity arise, it were easy at any time to enjoin such frequency at the public offices of the church, as might denominate an entire conformist, without a brand upon separate assemblies, to raise again the seeds of fatal animosities; but as to the places of magistracy and public trust, already comprehended in the test, as they concern the security of the state much more, so they affect the body of dissenters much less, than those in the corporations; for which cause, what is to be said in their behalf is more properly referred to that head. It would also be very unbecoming any sort of men to enter into argument with their governors upon those high points, which are so absolutely in the legislature to judge of and determine; 'tis not fit for me so much as to offer an opinion: An explanation of the test, more to the disadvantage of dissenters, might indeed deprive several of some profitable places in the royal household, the exchequer, the navy, the excise, the customs, and elsewhere; but the magistracy of the city would be the chief import of this matter; concerning which what inconveniences have arose to the government from the course of things for near twenty years past there, and how an alteration in it will any ways tend to the advantage of the state, is equally to me undiscernible; but this I do adventure to say, that if men, whom the negative qualification of this bill would have rendered incapable to serve in such offices, should have been finable nevertheless for not serving them, and that *toties quoties*, as the humour of the world might lead, that sort of persecution might possibly rise pretty high.

Secondly, It remains to examine what the proposed bill would have introduced *de novo*, upon the head of the corporation act distinctly; the clause whereof, expressive of the offices it would affect, is in these words: "Any mayor, alderman, recorder, bailiff, town-clerk, common council-man, or other person, bearing any office of magistracy, or places, or trusts, or other employment, relating to, or concerning, the government of the respective cities, corporations, boroughs, cinque-ports, and their members, and other port-towns." As to so much hereof as concerns magistracy, the test act having better provided, my discourse is to be henceforth restrained to what herein touches only intrinsick and inferior employments, relating to the several boroughs respectively, wherein the security of the church and state does not seem to be much concerned.

Most of our laws have sprung from the evident necessities of the times, and so came in as remedies to the proper distempers of them, which is in none more apparent than this of the corporations, the 13 Car. II. Those deplorable confusions which had tormented the nation, for nigh twenty years preceding, lay fresh upon the minds of the

parliament, when that act was made; and 'tis evident, that nothing but so extraordinary a juncture could have excused some parts of it: Nay it was principally founded upon reasons so peculiar to that time, they are far from being pertinent to ours; for there is now no solemn league and covenant needs to be renounced; the declaration in it, that it is not lawful, upon any pretence whatsoever, to take up arms against the king, and of abhorrence of that traitorous position of doing so by his authority against his person, or those commissioned by him, (which was the touchstone of the said act and times) is now utterly abrogated, and no person henceforth can be obliged to take the same, as appears in the act *primo* W. and M. for appointing other oaths; the oaths of supremacy and allegiance therein are also changed; the power given by it to the crown, to institute commissioners for two years, to turn out and put in the corporation officers *ab libitum*, though they were conformable to the qualifications required by the act, was an extravagance the present age would scarce approve; the preamble speaks of it as a thing too well known, that notwithstanding his majesty's unparalleled goodness in pardoning what was past, there were many evil spirits still working. We do not therefore herein go about to censure the measures of that act, as they were suited to the juncture; but as the reasons, the jealousies and foundations, whereon that act was built, were so appropriate to that time, that the several parts of it here above mentioned (as unsuitable to any other) are since abolished. It is pretty clear that the primary intent thereof had its full and due effect from the commissioners power, and the imposition of renouncing the covenant and declaration of fidelity; for there was little regard had to it at the time that a more effectual security to the church was provided by the test.

We come therefore to consider in the next place, what remains yet unrazed of that act in 13 Car. II. "For well governing and regulating corporations;" and then will clearly be discerned what the proposed bill would have superadded, touching the offices of magistracy, the test act has much better and effectually provided, which has been already considered; and therefore, as to what is distinctly under my present head of discourse to be treated of, there remains in substance of the corporation act yet in force no more than this, that no man shall be placed, elected, or chosen in or to any offices, or places, or trusts, or other employment relating to, or concerning the government of the respective boroughs, &c. who has not, within one year before such election, taken the sacrament according to the rites of the church of England: In default whereof, every such election is thereby declared to be void. This being the full import of the said act at present, it is upon that foot a measure must be taken, what and how much the intended bill would have enacted new upon this head; it cannot be amiss here to observe, that the corporation act was the first after the Restoration which directly affected the dissenters as such.

Now in corporations, there are many officers of a private and inferior nature, (which cannot be fully specified, because they are so various in the respective boroughs) whereon the safety of the state does not appear manifestly to depend, but regard only the affairs of the particular town within itself. Some of these are freeholds, and many of them the whole subsistence of families, which have been obtained by purchase or long services, or attained by custom of course. Several of these the dissenters are now possessed of, and perhaps have enjoyed many years, under an obedience to all such terms as the law now in being has prescribed; and to despoil men of their freeholds and possessions by a new law, without imputation of any crime, and when the security of the government does not appear manifestly concerned, is sure among Englishmen very hard.

That the dissenters at this day are not disaffected to the queen and established government, not chargeable with rebellion past, nor meditating new troubles, or any ways dangerous to the state, (under which characters the corporation-act considered them)

the preamble of this very bill now in debate does intimate: For it asserts, "That the act in the first year of the reign of the late King William and Queen Mary, of ever-glorious memory, entituled, An Act for exempting their Majesties' Protestant Subjects, dissenting from the Church of England, from the Penalties of certain Laws, was in due consideration, that persecution for conscience only was contrary to the profession of the Christian religion and doctrine of the church of England."

If then the dissenters, under an obedience to all such terms as the law now in being has prescribed, do possess many inferior offices in corporations, which the present bill, when passed into an act, would immediately seclude from, besides those in the magistracy, the navy, the customs, the excise, the royal household, and others, which, under the head of the test-act, it would also deprive them of, then (sure enough) it takes from the dissenters what they enjoyed before by law: And is not this to enact something new? Moreover, the dissenters at any time, upon the present terms of conforming, are now admittable to any office of what quality soever in the kingdom; but by this bill they would have a total incapacity put upon them, in respect to those under the test and corporation-acts above-mentioned. Which incapacity, after the first offence, would extend to offices of inheritance, and in the forests, non-commission offices in the fleet, and many more, such as neither the test or corporation-acts, or any other, ever did, or intended to exclude them from.

It has been already insisted, That all the offices, wherein the safety of church and state are manifestly concerned, are comprehended within the test, and that the inferior offices in the boroughs do not come under the same considerations; to have therefore the same reasons of state urged for an equal animadversion upon the latter, seems very unequal; for it brings great difficulty on the commercial sort of men, to argue on those topics, while they plead for no more than quiet cohabitation with their neighbours. But if it be argued, that those poor emoluments in the boroughs, which the safety of the government might (doubtless) well enough indulge them, came within the intent at least of the corporation-act to deny to the dissenters, how should they judge of it but very severe, to have that act so explained and enforced to their disadvantage, that it should take place more in the reign of her gracious majesty, than it has done in any time preceding?

In this case the dissenters do humbly apologize for themselves (as it imports them) that granting whatever was designed by this bill, was the intent then of the corporation-act, they do not now stand in the same place the last age did at the passing thereof; the present generation it cannot be pretended have brought upon the church and state confusions, ruin, and desolation; they have no ways disturbed the peace of either, but have, by testimonies, incontestibly shewed, that neither their principles or practice are inconsistent with monarchy, but, contrariwise, most conformable to the present government and settlement of the crown; nor are there any evil spirit working of rebellion among them. If therefore the intent of the corporation-act was built upon reasons peculiar to that time, they do entirely submit it to consideration, whether a pursuing of the same intent now, and giving (by the negative qualification and penalties of this bill) an extent and force to it, which, in the institution, or since, it never had before, without any like cause on their part, would not be in the nature of punishing the innocent for the sake of the guilty, which they do not doubt will be far from so wise, just, and good a government; but the proposed bill they conceive, upon the head only of the corporation-act, would have brought upon them the extraordinary hardships and difficulties here following.

First, The qualification for offices being made to consist in the utmost distance and aversion unto them, will be a brand of ignominy and reproach upon the whole body of dissenters; so that an emulation in casting injuries and contempt upon them may, in a little time, be thought the best recommendation, and nearest way to preferment;

is it just therefore that the whole body should suffer for the sake comparatively of a very few, who have occasionally conformed?

Secondly, Reviving the acts against seditious conventicles in part, and giving a new force to that of the corporations, they fear will give too much occasion to men of violent tempers, to declaim that they lie still under the same odious imputation of disloyalty charged upon them by those acts, as if they gave really any manner of jealousy to the state now; which clamour (however causeless) when it shall be industriously vented, would be in itself a very heavy affliction.

Thirdly, The freeholds and offices of an inferior nature, in 600 towns of England, or thereabouts, which have been obtained by purchase or long services, or in course, some of them the whole subsistence of families, and of long time possessed, under an obedience to all the terms prescribed by law, would not only be immediately lost by the possessors, but an incapacity would lie upon all dissenters for the future, of attaining the like, and (after the first offence) any other offices in the kingdom whatsoever; but they hope the crime charged upon some few of them is not of so detestable a nature that they ought all to be reduced to so unhappy a condition for it.

Fourthly, In many corporations the election of members to serve in parliament, is only in such as are concerned in the government of them, and giving a vote for a representative in parliament is the essential privilege whereby every Englishman preserves his property; and whatsoever deprives him of a capacity for having such vote, deprives him of his birthright. The magistracy of corporations, which by the test-act now takes place, is one thing; but the offices affected by the new bill would be quite another.

Fifthly, There have been for several towns and cities acts passed of late years, for setting the poor on work therein, and punishing vagrants, besides the former ancient hospitals; touching which the dissenters are likely by this bill to have been excluded the appearing usefully in their places; which is a mark of dishonour on them, as well as discouragement to charitable intentions.

Sixthly, To leave protestant dissenters subject to fines and penalties, if they do not accept offices (*toties quoties*) and at the same time if they do accept, to restrain them upon the severe penalties of this bill from doing what their conscience obliges to, whether this would not (against the intent of the bill) be persecution for conscience sake, all good men might be left to judge; but they only would feel, and every borough in England at discretion be left to proportion the degree.

Seventhly, The dissenters have reason to fear innumerable injuries and oppressions (besides these mentioned) would be their lot, in all municipal rates, freedoms, duties, privileges, services, parish offices, and every sort of intercourse with their townsmen and neighbours. When, upon complaint of any such injuries, those fellow-citizens, who only have power to do them justice, are like to suffer in their own reputations, interests, and employments, for so doing, as favourers of the fanatical, excluded party.

These considerations of their suffering, though they appear evident and unavoidable, are, with all candour and resignation, referred to the judgment of others; but the dissenters must crave leave to add, that they would be the more pungent and sensible upon persons not chargeable by the bill with any offence, because, without penal laws, and their attendants, with the clamorous insults of the prophane and designing, the very dissenting from the public is in itself (as to earthly things) many ways a misfortune, which nothing but unpretended conscience (however mistaken) would oblige them to.

Thirdly, The penalties, which are the last part of the bill, shall be considered under three heads. First, What suitableness there is in them to the act of indulgence. Secondly, What proportion between the protestant dissenters and popish. Thirdly, What danger from thence to the innocent.

First, For the suitableness there is in these penalties to the act of indulgence, it may sure be granted, that the good effects of liberty to tender consciences are every where visible, that the foregoing bitterness and animosities are much calmed, the dissenters brought to a temper of respect, and more candour towards the church, and the church satisfied by sufficient experience, that the freedom of others does not lessen her security and reputation. Thus is our Sion at unity within herself, and the unity of the spirit in the bond of peace (according to the prayer of our church) preserved. One cannot therefore lay to heart the peace of our Jerusalem without some concern, lest the severities of this bill should contribute to disturb it; for, besides that it would dispossess immediately persons legally vested with places, and affect many offices which no law did before, and many ways be injurious in the boroughs, and leave men to occasional persecution for conscience sake, and be a brand upon all assemblies of dissenters, as already has been instanced, there are in it some further peculiarities of punishment.

Before the act of indulgence, while conventicles were illegal and criminal assemblies, even then a man in office, who was present at them, was only liable to a fine of ten pounds; whereas by this bill he is liable to a fine of a hundred pounds, and five pounds per diem, for three months, besides loss of his place. The sum you see may amount to 550*l.* which is more than would need to beggar some thousands of corporations; and other officers in England would be liable to it, and the more in danger, because the whole sum goes to the informer, which is good booty for that sort of privateers; and the rather, when a conviction on this bill would not be so difficult as most other cases.

The dissenters, during the worst of their prosecutions heretofore, upon a visible conformity, without renunciation or declared abhorrence of their former practice, were at any time capable of places of profit and trust, but this bill draws over all their heads a dismal cloud of incapacity. None will deny but a total incapacity to serve his prince and country is a mark of high infamy; so that, next to the loss of life, it seems the heaviest punishment; and in the several towns corporate of England (which may probably be six or seven hundred) to be rendered by law incapable of ever acquiring the support of any of those little places which appertain to them, besides those of profit under the head of the test-act, and those many more (upon conviction) which no law yet has ever affected, is altogether (if considered) a very unhappy condition; but after the immediate forfeiture of all the several offices, now legally possessed by the dissenters, upon the passing of this bill, then a person might still go to a meeting, without breach of any law (as long as the toleration continues) and one would think such a man were *bonus et legalis homo*, and capable of the privileges of a free-born subject, and at liberty to provide for his family and maintenance; but to impose a severe censure on any action allowed by law seems very unreasonable. However that be, there would remain upon all, and every man of the dissenters, an incapacity not only as above, but (after the first offence) for any office or employment whatever within the kingdom; in which regard this bill would extend to offices of inheritance, and in the forests, non-commission offices in the fleet, with many more, which neither the test or corporation-acts, or any other, ever could affect, or ever intended so to do.

As to the shame and incapacity of one convicted upon this bill; that is to say, before he ever again could enter by grant or election into any office or employment within the kingdom of England, he must, at the next quarter-sessions of the county where he resides, or in one of his majesty's courts at Westminster, in publick and open court, make oath in writing, that within the year foregoing, he has not once been present at any conventicle, but has three times at the least received the sacrament at the church; which oath is to be kept upon record. This would not be so much worthy of consideration, nor the aggravation of the sentence on a second offence (as a relapse and apostacy)

if the value of the forfeiture, and easiness of conviction, did not put too much hazard on the innocent even after such purgation, as well as before it.

Secondly, The proportion by the penalties of this bill, between the protestant and papist, is to be scanned by two ways. First, By examining whether they are equally liable to loss of offices, and suffering the punishments. 2dly, What difference there is otherwise. For the first, the test being more expressly contrived to reject all popish rescuants, and the complexion of the times since the grand revolution not favouring them, every man will agree with me, that the immediate loss to them upon passing this bill would be nothing, they have no concern in the matter; but on the other hand, the dissenters (under the terms hitherto required by law) do possess many offices, as has been distinctly intimated, the first loss to them thereupon would upon many accounts be very considerable. Now for the punishments sufferable by this bill, the dissenters enjoying a liberty upon condition of open doors, a conviction would at all times be more feasible upon them than the papists, who are enforced to conceal their worship by other laws. Furthermore, the nature of the protestant worship requires all their attendants at once, whereas that of private masses need not engage above five, besides the family, in the same instant. Thus the papist would not be so exposed to the forfeitures, fine and incapacity, as the protestant.

The difference otherwise between the popish and protestant dissenter is no more than this; that whereas the test-act did more expressly intend the papist, and the protestant was but tacitly included, the bill under consideration uses such terms only, as have been appropriate to protestants; and herein the papist is but tacitly included; however he is equally reached by the intention and penalties hereof; and thus the popish dissenter and protestant do stand upon a par; but, granting the papist is not liable to loss of benefit at all, or to suffering the penalties like the protestant, because conviction is more difficult upon him, no man is made liable to suffer so much by any other law, for assisting at the solemnest acts of that religion, as he would by this bill, for being present at a conventicle. A popish convict, receiving the sacrament of the church, is immediately cleared; no such shame of renunciation, no incapacity lies upon him. A papist that shall relapse, and fall under a second conviction, is to be convicted over again, without any aggravation of his censure. But justice and good policy require there should be a proportion between the offence and punishment. Thus the laws of England have all along treated papists as the most inveterate, restless, and formidable enemies of the state, because they depend upon a foreign power, and are subject to it; which is such a one as always was, and ever will be employed to ruin us; therefore there has constantly been a less degree of punishment in the laws upon the protestant dissenter than them. This reason, if I be not mistaken, has a considerable accession of weight to it in our days, the papists having refused, since the late revolution, their allegiance to the crown of England more than ever, from the early days of the Reformation.

Lastly, Let us consider what danger would arise from the penalties of this bill to the innocent; for their safety seems the highest concern of all laws. Now, for the administrations in publick, according to the liturgy of the church, though for want of it before university sermons, or upon an omission of prayer for the royal family, or upon contravening the practice of the church of England, men would come within the letter of this bill, which is a condition not wholly out of danger; yet 'tis likely the obvious design of it being against dissenters, would render a prosecution in those cases fruitless: However, family prayers differing from the liturgy, at which should be present more than five accidentally above the household (circumstances not uncommon) would clearly come within reach, and then the villainy of a couple of bad servants (dismiss perhaps for ill practices) would have sufficient encouragement: But the greatest danger to the innocent arises from two things in this bill. First, From the value of the forfeiture, which may amount to 550*l*. and is all given to the informers, a temptation beyond what is common

ly set before them by our laws, or what the integrity of the age can well assure us against ; for a detestable sort of men there has been, who, for much less gains, have done wrongfully to a great many, and proved a very nuisance to the government, several of whom were convicted of perjury about 20 years ago. Secondly, The easiness of conviction is another subject of danger to the innocent ; for, as the law in relation to offices now stands, every man chuses his own witnesses to receiving of the sacrament ; whose attestation, with that of the ministers and church-wardens, being put upon record, a man is almost beyond a possibility of suffering by a false accusation. But in the bill before us 'tis not so safe, for false witnesses may chuse to assign such a time and place (when they saw him at a meeting) as they know the party least likely to disprove, and the accused in that case has but a kind of negative proof to defend himself withal.

As I have not presumed to draw into argument the disposal of offices, wherein the safety of church and state did appear manifestly concerned, so neither shall I once enter into the thoughts of those high affairs, which might be any ways affected by this bill ; as whether the desirable union with Scotland may not be embarrassed thereby ; whether putting all foreign churches under a censure may weaken the good understanding which ought to be between England and her protestant allies ; whether this expedient bears due regard to the condition of like affairs among our nearest neighbours, Holland, Scotland, and Ireland ; or whether, in time of so dubious a war, especially since a pretender to our throne is set up by the enemy, it be proper to do any thing which may raise heats and animosities among ourselves ; these being matters cognizable only by the proper ministers of state, or the high court of parliament, and not fit for private persons to debate.

As to the grand point of their loyalty and due allegiance, which, above all others, the dissenters are concerned to vindicate themselves about, her majesty's loving subjects, who (being protestants, and by the rights of nature Englishmen) lie under the unhappiness of dissenting in some small matters of religion from the established church, are abundantly satisfied from the Christian-like preamble of this bill, and otherwise, that in the sacred breast of her Most Excellent Majesty, and in those also of the highly honoured Lords and Commons of England, they stand fully acquitted from the vile and detestable imputation of any principles repugnant to the safety of this government ; the testimony of their own consciences does equally concur, and their behaviour shall (as they hope it does) demonstrate to all the world, that none of their fellow-subjects can be more devoted to the present rightful and lawful settlement of the crown ; were such imputations true, they could never, with any face, complain of whatever hardships were put upon them ; but being in the case of the present government absolved before God and men, they do always allow themselves to hope, that during their consonant and uniform obedience, no difficulties or distresses will be laid upon them ; and, above all, nothing which may look like a blemish upon their loyalty ; her most gracious majesty (whom God long preserve) has several times expressed her pious, parental candour and compassion unto them, who indeed, without the severity of penal laws, are, for the sake of undissembled conscience, daily under various temporal misfortunes ; and as from that disposition of her majesty's they hold the benefits of the act of indulgence dear to them above all other earthly considerations, none can more ardently and sincerely than they constantly do, and will, implore the choicest blessings of Heaven upon her excellent majesty, and all their governors.

To dissent from the publick, they are sensible, is always to be in the wrong ; but if instead of the few things scrupled, wherein they are involuntarily so, their union in the essential, and more important points of religion with the church, might find a due consideration, they doubt not but all reproaches upon them, of any hostile dispositions towards it, would also be done away. This is what, next to an affectionate allegiance to the state, they could desire most to vindicate to themselves the character of, and

which they have for many years, by all means, so endeavoured, that if the unfriendly passions of some men, with the visible interest of the papists, had not hindered, the same would, long ere this, have crowned their wishes with an universal attestation. To dissent touching matters civil and common from any society we are in, I appeal to all men, does it imply ill-will to it? Why then should it be construed so in the case before us? Or, if we please, why not quite otherwise?

The Church of England, is it not as a city, which has an ambitious and powerful enemy in the field? She has indeed other fortifications more near and proper, but why may not the dissenters to her also be accounted as detached outworks and lines of defence? Had ever the common enemy a design immediate to execute upon this city, but first his secret engines were wrought to breed misunderstanding between the town and her dependants, then open attacks were made upon the separated forts; and while many storms have fallen upon those, their fidelity to the town has been the more approved, but the city itself secure? No persecutions could extort any petition from them for a toleration of popery. But after a long and obstinate defence, when those outward posts came to be abandoned and demolished, did not the enemy soon get within the town? The papists, it is true, when once possessed of their conquest, to secure against the revolt of it, though before, by open force, they had taken and levelled all those redoubts, did then officiously erect them anew, thinking to serve their interest of them: But the dissenters, glad of liberty, indeed, (who can blame them?) no sooner discovered the enemy's design, than they adhered to their ancient mother and principal.

The author hereof, to obviate undue constructions, thinks fit to declare, he is not liable to the loss of any office by the foresaid bill, nor has he reaped any personal advantage from the Revolution, or any ways from the government since; but the true occasion of this discourse was not so much a respect to the dissenters, as an accidental computation in himself of the flourishing estate of the reformed interest in Europe, in the commencement of the last century, and of the dismal declension of it at the latter end, which gave him occasion to reflect, that in human appearance the only defensible bulwark of it must now consist in the welfare of our government, and an indissoluble union with Holland. Upon which occasion, considering that the indemnity of dissenters from penal laws was, by the act of indulgence, declared an effectual means to unite our protestant fellow-subjects in interest and affection, he could not but conclude, that the imposing new penalties and sufferings would disunite them; and what can look more fatal upon us, than to see buried animosities flame out afresh? Who can tell but a breach, when opened, may, beyond all our foresight, grow in time so wide, that the merciless usurpations of France and Rome may enter at it?

But as to our days, the hope and wishes of our enemies shall be disappointed, if we will listen to the direction which the pious and prudent authority over us has prescribed, in appointing on the late solemn fast, (to obtain success in this war, whereon the safety of the kingdom does wholly depend) this prayer for our use, and the God of mercy vouchsafe us a favourable answer to it. "Give us grace, O Lord, seriously to lay to heart the great dangers we are in, by our unhappy divisions; take away all hatred and prejudice, and whatsoever else may hinder us from godly union and concord; that as there is but one body, and one spirit, and one hope of our calling, one Lord, one faith, one baptism, one God and Father of us all, so we may henceforth be all of one heart, and of one soul, united in one holy bond of truth and peace, of faith and charity; and may, with one mind, and one mouth, glorify thee, O God, through Christ Jesus our Lord. Amen."

An Apology for Roman Catholics. In a Letter to a Member of Parliament, 1703.

This Tract, which attracted no notice at the time, seems more applicable to our times, than to the period when it was written. The author professes to be a moderate Roman catholic, who disowned the authority of the pope in civil matters, and he argues forcibly, that the same reasons on which the dissenters claim to be free of the penal laws, attach to those of his description who are catholics without being papists. He proposes also, a test for distinguishing between papists and catholics. I presume at the period when he wrote very few catholics would have taken such a test, though circumstances are now different.

HAVING lately received your commands, to recollect and transmit to you the substance of what passed between us when we were last together, I take this first opportunity to obey your commands: Making no doubt but that you well remember the chief points which I insisted upon; which were two:

- I. That the only end and design of government is, to preserve the rights and liberties of a people: And,
- II. That the liberty of a people did not stand upon a true foundation, unless all the subjects were equally capacitated by law to discharge the greatest trusts and enjoy the greatest honours and profits which belong to the nation.

The first of these propositions you were very free to come into. But the second point you disputed, saying, That you were of opinion, that none besides true conformists to the doctrine and discipline of the church of England, were fit to be held capable of public trusts: Though you would freely give into a toleration for dissenters. Now, on the contrary, I could not discern by what means the English Common-prayer Book did qualify any man for a public trust, any more than the presbyterian directory, or the popish mass-book; for there are both honest men and knaves of all persuasions. But yet since all the natives of England are that people for whose behoof the English government was constituted, it seemed to me to be a partial and arbitrary proceeding, to put legal incapacities upon any of the subjects, without sufficient reason in the nature of the thing to justify it. If I am a native of England, and am both as able and willing to serve the government as you are, I have thereby as much natural right to serve the public as you have: And therefore to make a distinction between you and me upon this account, is an arbitrary, and therefore an impolitic use of power; it was arbitrary, because not grounded upon reason. But you alledged the contrary, saying, That the churchmen were in their principles more agreeable to monarchy than dissenters, though protestants; and likewise, that papists were by their religion sworn enemies to the imperial crown of England. Hereupon I brought first the churchmen and dissenters to the balance, to try how much the churchmen outweighed them in their agreeableness to the English government; and I thought myself pretty well capacitated to weigh this matter impartially, being myself belonging to neither of their communions.

I can well remember, that for forty years last past, the churchmen have not failed to

distinguish themselves from all other protestants, by a great pretence to loyalty, which their church teacheth her sons in her authentic writings, wherein non-resistance, and the divine right of kings, is very zealously asserted. But that these notions were friendly to our kings, or so supportive of their prerogative as was pretended, was what I always doubted of. I saw plainly how the preaching and encouraging of these notions in the reign of King Charles II. disgusted a great part of the nation, and raised strong jealousies, as if that king did intend to have strained the royal prerogative to a higher pitch than what the old English constitution would allow of. Nothing was then more visible, than that these doctrines laid the foundation of such a jealousy between king and people, as was no ways conducing to support the crown, or strengthen the monarchy; all the effect which followed was a government by parties, wherein sometimes the churchmen, and at other times the dissenters, were encouraged by the king, in order to serve some secret design, which was beneficial to neither party; as appeared by the toleration which that king took upon him to grant forth by his own authority, in the year 1672.

Nor did you yourself doubt, but that the late King James II. drew encouragement from these church-doctrines to overturn the legal limited part of the monarchy, as well as the national religion, at one effort. But supposing that these prerogative doctrines had been really useful to the monarchy (as indeed they were not) how shall these doctrines at this time recommend the churchmen to the public trusts of the nation, since for some years past they have both forsook and forsworn these opinions, upon occasion of the late revolution? It must be owned that these churchmen have endeavoured to save their credit by some amusing distinctions. First, they swear allegiance to King William as the conqueror of Great Britain, without so much as a battle fought upon that occasion. Then they swear to him as a king in fact, by which they understood a legal usurper. What man alive is able to comprehend these nice distinctions? And what security will they give, that they will not break through them as another occasions shall offer?

On the other side, the dissenters have been accustomed to keep a strict hand upon the king's royal power, which is the likeliest way to preserve both king and monarchy, which were never drawn into danger so frequently, as by attempting to enlarge the prerogative, as is evinced by the histories of King Edward, King Richard, and King James II. not to mention King Charles I. All that the dissenters desire is, That the king may be made incapable of doing any harm; and that is the best way to secure him from receiving harm: Which is all one as to say, "O king, live for ever!"

As to the other opinion of your churchmen, That kings have a divine right to their thrones, it is as unlucky a doctrine as can be taught in any monarchy, because it unsettles all the thrones in the world: Since no king can shew any patent from God Almighty to that purpose; nor can any king prove himself to be the descendant, in a right line, from the eldest, or from any of the sons of Noah. So that nobody can tell who is the king by divine right; but every body knows who is the king by law established. And since all dissenters own this king, and have no principle which engageth them otherwise, I cannot see any thing of disloyalty in them, which should exclude them from being admitted (if the legislative power should think fit) into the trusts of the nation.

I remember that I insisted upon this exclusion of dissenters from public trusts, to be impolitic as well as arbitrary. I confess I know but one policy whereby to establish any government, of what sort soever it be: Which is to take away all causes of complaint, and make all the subjects easy under it; for then the government will have the whole strength of the people in its defence, whenever it shall want it. This you looked upon to be a plain sort of reasoning, but you hoped the churchmen were sufficient to defend the government, so that we should not want the assistance of dissenters.

You also asked why the dissenters should not give their assistance if there were occasion for it, though they were excluded from places of trust? Hereupon I told you, that all those who will found the government of a great people upon one party, ought to feed themselves with hopes, that their narrow foundation will bear the weight which is laid upon it: But yet time has shewn us that these hopes are vain. Few years pass over our heads, without convincing us that we may be in danger, especially in such an active age as this: For has not that growing power of France, for any time these thirty years last past, warned us to provide for ourselves the best security? And at this time, suppose that the Scots nation, upon the demise of the crown, should chuse them a king of their own, distinct from our sovereign prince; and what if they should be inclined to try their fortune in England, as has heretofore been done, might it not be apprehended, that, supposing a numerous discontented party in England should join with the Scots, they may enable the King of Scotland to take the city of London into his protection? All people who are uneasy will join in any revolution.

As to your second question, I make no doubt but that the dissenters will be always ready to assist their country against the French, or any foreign enemy; but yet you cannot expect the same vigour, but from those who have the same encouragement. The lawyers will advise you not to starve a cause; and the soldiers will tell you, that an army cannot be too well united against the enemy.

But yet you could not endure the thoughts of having baptists and quakers to be made justices of the peace, parliament-men, and judges in Westminster-Hall; this (said you) would be ridiculous beyond all patience of enduring. But I thought that this was no ways to be feared; for supposing these people lay under no legal incapacity, I cannot think that any of them would be chosen into these trusts, for want of sufficient abilities to discharge them. But yet I argued with you thus: Supposing that quakers were indeed fitted with abilities to be judges and privy-counsellors, I did not apprehend that their short cravats, and plain speech, would do any harm to the nation. Able men fearing God and hating covetousness, was all the character by which Moses directed the Israelites to chuse their rulers, without mentioning the dialect of their speech, or fashion of their cloaths. But if papists and quakers were not able men in the law, the benches of Westminster-Hall would be as soon filled with carmen as with quakers, although they were laid under no legal incapacity.

At last, though you should yield that protestants of all denominations might be freed from this incapacity, yet you would never allow that papists should be made capable of public trusts. How many horrid plots did they form against Queen Elizabeth? Did they not secretly assist to take away the life of King Charles I.? What a devilish plot of theirs was discovered in Charles the Second's time? Besides an assassination, an invasion in the last king's reign! And popery is treason in England, and every papist a traitor.

This I confess was a severe home charge, and had some appearance of reason and experience to back it; and I wished for a Mahometan or pagan to judge impartially of the answer which I designed to return: For though I am conscious how heartily I desire to be impartial in my answer, yet having been always bred a Roman catholic, I cannot forbear to suspect, lest the prejudices of my education may render me partial to those of my own profession; however, I was willing to try whether a papist could be an honest man or no.

You must remember that I did freely own to you, that you had need be very cautious in admitting Roman catholics into the trusts of this nation, because the power which the popes and court of Rome have long laid claim to, is indeed an implacable enemy to all protestant states whatever. So far is Rome an enemy to us, that I cannot think any man, who adheres to the claims of the Roman court, has a right to live in England, though a native thereof; for if an Englishman, upon any principle what-

soever, becomes an enemy to his country, his fault is past all excuse. But God forbid that all Roman catholics should be concluded under the same sentence, since manifest experience has made it out, that the English Roman catholics, when the whole power of the nation was lodged in their hands, did defend the rights of their kings, and liberties of their country, against the usurpations of the bishop and court of Rome as strenuously as any protestants ever have done.

It is not doubted but that all England was Roman catholic in the days of King Edward I. And what the sense of the nation was then doth appear by a fair record, viz. the statute of provisors, made in the reign of his grandson King Edward III. The preamble of the statute is this: "Whereas late in the parliament of good memory of Edward King of England, grandfather to our lord the king that now is, in the 25th year of his reign, holden at Carlisle, the petition heard put before the said grandfather, and his council in his said parliament, by the commonalty of the said realm, containing, That whereas the holy church of England was founded in the estate of prelacy within the realm of England, by the said grandfather and his progenitors, and the earls, barons, and other nobles of his said realm, and their ancestors." After this preamble followeth the complaint of the commons against the pope, for providing clerks, both foreigners and denizens, for our church preferments, and presenting them thereunto, whereby many inconveniences (which are there reckoned up) ensued. And hereupon it is enacted, "That these provisors (for so the pope's presentees are called) their procurators, executors, and notaries, shall be attached by their bodies, and brought in to answer. And if convict, they shall make fine and ransom to the king at his will, and gree to the party who shall find himself grieved." 25 Edw. III. Statute of Provisors.

From the tenour of this statute it appears, 1st, That the church of England was originally founded in episcopacy, by the king, peers, and commons; for barons in those early days were a degree below peerage. 2dly, That the pope's intermeddling in the affairs of the church of England was adjudged by the estates of the realm no less than an unwarrantable intrusion; and all who any ways abetted the pope's intrusions, were made liable to severe punishments. 3dly, That the pope and the presbyterians are obliged to make out their pretended titles to rule over the church of England, by a clearer and stronger evidence than this statute of provisors, or else all Englishmen ought to esteem them no other than impudent intruders: Forasmuch as what is declared by the statute of provisors, was according to the known laws of this land, which were long before Edward First's days; it being very evident that the Bishop of Rome had no jurisdiction in England, either in the time of the Britons or Saxons; as appears in that Elutherius the pope wrote to Lucius the British king, within two hundred years after Christ, and stiles him the Vicar of God within his kingdom. Pelagius the monk, about the year 400, being cited to Rome by the pope, refused to appear, alledging, that Britain was neither within his diocese nor his province. So when Pope Gregory sent Austin the monk into Britain, we read, that the British bishops would not regard his commission, nor own any dependency upon the pope. The like hereunto doth Bede report concerning the Irish as well as British bishops, who in a convocation of the clergy, called by King Oswif, affirmed, That both the Irish and British churches celebrated Easter according to the usage of the eastern churches, who were instructed by the Apostle St John, and not according to the custom of the church of Rome. As for the Saxons, although King Ina gave Peter-pence to the pope, partly as alms, and partly in recompence for an house erected in Rome for British pilgrims, yet it is certain that Alfred and Athelstan, Edgar and Edmund Canutus, and Edward the Confessor, did give all the bishopricks of England by a ring and a staff.

The first footing which the pope gained in England, was by the assistance of William the Conqueror (as he is called) who admitted a legate, and followed his advice in ecclesiastical matters. Gregory VII. who was then pope, had the impudence by his

legate to demand an oath of fealty from the king, who had more prudence than to grant his desire, as appears by the letter of that king to the pope, in these words :

"Excellentissimo Sanctæ Ecclesiæ Pastori Gregorio, gratia Dei Anglorum Rex et Dux Normannorum Willielmus salutem cum amicitia. Hubertus Legatus tuus, ad me veniens ex tua parte, me admonuit ut tibi et successoribus tuis fidelitatem, facerem ; fidelitatem tibi facere nolim nec volo," &c.

The substance of the letter is to tell the pope, that he would not swear fealty to him, because he had never promised any such thing, nor could he find that any of his predecessors did so. Yet the popes, by the help of their clergy in England, were constantly attempting to gain some or other prerogative from the king's crown, such as the privilege of appeals to the court of Rome, the disposal of ecclesiastical preferments ; as also the liberty to send bulls and excommunications into England. And this was the reason why the statute of provisors before cited was made, as also the statute of præmunire in the 27th of Edward III. against those who should implead their fellow subjects in any foreign court. As likewise the statute 16th of Richard II. ch. 5. wherein it is declared, That the crown of England hath been so free at all times, that it hath been in subjection to no realm ; but immediately subject to God, and no other : And that the statutes of this realm cannot be frustrated by the pope. In this statute it is also declared, that the lords spiritual and temporal, as well as the commons, do resolve to stand with the king against the pope's intrusions, and do associate to uphold all those royalties which had been enjoyed by his royal progenitors and predecessors.

Now that a full and direct ecclesiastical jurisdiction was anciently enjoyed by the kings of Britain, doth appear from an undoubted record of a charter in which Kenulphus (who reigned A. D. 755,) granted to the abbot and monks of Abingdon, an exemption from all episcopal jurisdiction ; but at the same time granting episcopal power to the abbot. This charter was pleaded 1st Henry VII. and is cited by Stamford, l. 3. c. 38. fol. 111. The substance of it is this, Kenulphus the king, by the advice and consent of the bishops and senators of his nation, doth grant to Ruchnius, the abbot of Abingdon in Berkshire, a perpetual freedom to himself, and all who cohabit with him, from all episcopal jurisdictions ; conferring also upon the abbot and his successors, a power to determine all causes within his own abbey arising. It is certain that at this time all the nation was catholic. It is as plain that this charter was passed in parliament. And from hence it is very likely (if it may not be certainly concluded) that neither king nor parliament at that time thought of the pope's ecclesiastical jurisdiction (much less the supremacy) in England. This very charter was afterwards confirmed *per Edwy-num Britannicæ Anglorum regem et monarcham.*

In St Edward's laws, cap. 19. it is declared, " That the king, who is the vicar of the highest King, is ordained to this end, that he should govern and rule the people of the land, and, above all things, the holy church." And this I take to be the sum of that part of common law which is mentioned in the reign of King Edward I. when one of his subjects (as the Lord Coke saith in Cawdrey's case) brought in a bull of excommunication against his fellow subjects, and published it to the Lord Treasurer of England. And this was by the ancient common law of England adjudged treason against the king, his crown and dignity, for which he should have been drawn and hanged ; but at the great instance of the chancellor and treasurer he was forced only to abjure the realm. It seems that the greatest favour which could then be granted to one who owned the pope's jurisdiction in England, was perpetual banishment : For then not only the laity but clergy were forbid to own any popish jurisdiction ; as appears by what my Lord Coke reports in the same case, viz. King Edward III. presented a clerk to a benefice within the province of York : Who was refused by the archbishop, because the pope, by way of provision, had confirmed it upon another. The king thereupon brought a *quare non admisit*. The archbishop pleaded, That the Bishop of Rome

had long time before provided to the same church, as one having supreme authority in that case; and that he durst not, nor had power to, put him out who was by the pope's bull in possession. For which his high contempt against his crown and dignity, in refusing to execute his sovereign's commandment, fearing to do it, against the king's provision, by judgment of the common law, the lands of his whole bishoprick were seized into the king's hands, and lost during his life. Which judgment was (saith Coke) before any statute or act of parliament was made in that case. I suppose he meaneth before the statute of provisors was made.

To prevent such-like encroachments of the court of Rome, the statute of *præmunire* was made, 16th Richard II. ch. 5. to forewarn, and also forearm, the land against the encroachments which the popes were then by the court-priests introducing upon it. In this statute the commons complain, that by bulls and processes from Rome, the king is deprived of that jurisdiction which belongs of right to his imperial crown: That the king doth lose the service and counsel of his prelates and learned men, by translations made by the Bishop of Rome: That the king's laws are defeated at his will; the treasure of the realm exhausted to enrich his court: And that by these means the crown of England, which hath ever been free, and subject unto none, but immediately unto God, should be submitted unto the Bishop of Rome, to the utter destruction of the king and the whole realm; which God defend, say they. And thereupon, out of their exceeding zeal and fervency, they offer to live and die with the king, in defence of the liberties of the crown. And, lastly, they pray and require the king to examine all the lords in parliament what they thought of these manifest wrongs and usurpations; and whether they would stand with the king in defence of his royal liberties, or no? Which the king did according to their petition. And the lords spiritual and temporal did all answer, that these usurpations of the Bishop of Rome were against the liberties of the crown; and that they were all bound by their allegiance to stand with the king, and to maintain his honour and prerogative. And thereupon it was enacted, with a full consent of the three estates, That such as should purchase in the court of Rome, or elsewhere, any bulls or processes, or other things which might touch the king in his crown and dignity royal; and such as should bring them into the realm, and such as should receive them, publish them, or execute them, they, their notaries, proctors, maintainers, and counsellors, should be all out of the king's protection, their lands and goods forfeited to the king; their bodies attached if they might be found; or else process of *præmunire facias* to be awarded against them.

The reason why I have been so particular in giving you an account of these statutes of provisors and *præmunire* is, because hereupon I lay the foundation of a distinction, which you protestants are unwilling to admit; I mean the distinction between the church and the court of Rome. Those who adhere to the church of Rome, I hold to be good catholics; and those who adhere to the court of Rome, I hold to be papists, enemies, and traitors, to the realm of England, and totally unfit for any trust in this or any other protestant country.

Whilst we were upon this head of discourse, in came Parson T——n, and would by no means allow, that any Roman catholic should receive encouragement in England, because (forsooth) we believe the monstrous doctrine of transubstantiation. One would be apt to think, that some strange charm was couched in the very word transubstantiation, it has such a power to raise the spleen in protestants. I confess, that I do love a wench upon some occasions, said Harry Martin in the late republican times; but what is that to the government? I do likewise confess, that I do believe the doctrine of transubstantiation, because I have received it by tradition from the church, as you believe the Trinity, though there be no mention of a trinity of persons in the Bible; yet, I say, you receive this doctrine as an ancient catholic interpretation of some places in the Bible, though by your reason you cannot fully comprehend the meaning

thereof. But what is this to the government? The people of England were in this, and all other points, Roman catholic, when they made the foregoing laws, whereby they maintained the king's prerogative, and strenuously asserted the people's liberty. I suppose our ancestors went to heaven in those days; nor can I believe that a propensity to betray a man's country to the court of Rome is at any time a necessary means of salvation. 'Tis true, that transubstantiation is a proper test whereby to find out a Roman catholic: But in my opinion it will not be a sufficient test whereby to discover, whether that Roman catholic be a lover of his country or not. So that I think the doctrine of transubstantiation is shut out of the question in hand.

But I must not forget the objection you were pleased to make against what I contend for. Said you, What if a papist should be made a principal secretary of state, in such a critical time as this is, when a war is proclaimed against France; which requires (as the honourable House of Commons has voted) a vigorous prosecution? And what though the queen should be in earnest for prosecuting the war, and the secretary would be in jest, for the French king is (said you) the very idol of all bigotted papists? Supposing then (continued you) that the queen should be willing to lay hold upon that handle which God, by an extraordinary providence, has reached out to her majesty, and offer her assistance to the Sevennois, as being thereunto bound both by religion and policy, this secretary would advise her majesty to desist: He would call the rising of the poor oppressed protestants, in their own necessary defence, by the foul name of a rebellion; and would no more suffer the queen to assist them, than he himself would have assisted the English protestants, when they of late defended themselves against King James. Besides, he would find means to give such cruising or sailing orders, either public or private, to our fleets at sea, that the French squadrons should pass by them securely: He would send such tattered regiments into Portugal (if he could not hinder our descent that way upon Spain) as should be the laughing-stock of the confederates. And who can tell how many ways and means such a one may find out to prolong an unfortunate tedious pick-purse war, to the end that it may at last end in a treacherous and dangerous, if not a destructive peace?

But all this is only a fantastical fear, arising from a mere chimerical notion: For though Roman catholics were qualified by law for the trusts of the nation, there is no shadow of a probability, that in such a juncture as this, the queen would make such a one her principal secretary of state, unless there were not an honest protestant to be found in the land. Nor do I believe that a Roman catholic would, in such a time as this, undertake such an office, unless he knew himself both able and willing to discharge it faithfully for his queen and country. For my part I would sooner say my prayers at Tyburn, than accept of an office which I should only serve with half a heart, for the sake of getting money merely, or else for the sake of some wretched by-ends which are inconsistent with the public good. Besides, a papist must be a madman, to take such an office upon him to serve a French turn; for he must know that protestants will be sure to keep a narrow watch upon popish ministers, and will soon discover any of their indirect designs. 'Twas plain, that King Charles II. might have made much bolder advantages towards the court of Rome than King James II. And suppose that a popish secretary should have called that defence which the Sevennois are now making, by the stile of a rebellion, some protestant lord or other would have told him, even in the queen's presence (if there had been occasion for it) that he spoke the language of a traitor; for none but a traitor to the queen's power and dignity could say, that there was any rebellion in the kingdom of France, sith that the rightful sovereignty over France is lodged in the queen's majesty, whose protestant French subjects arose in their own defence against the lawless usurpation and tyranny of Lewis XIV. Can you think that a popish secretary would be suffered to ridicule the laws of England, which declare her majesty's title to France to be rightful and lawful; and

to turn into jest the pious devotions of all the reverend clergy of the church of England, who, according to the canons of their church, do constantly recognize her gracious majesty's title to France as well as England in their solemn prayers? Or if such a secretary should have given ill private orders, or procured faulty public orders to our seamen to favour the French squadrons at sea, do you not think that this matter would be looked narrowly into? Do you not think that sufficient opportunity at least, if not encouragement, would be given to those who had executed such private orders, to confess from whence they received the same? Should a popish secretary be suffered to do such things as these, every one would say, that the court was a nursery of traitors: The clergy would be in pain for Magdalen-College, and the commonwealthsmen with their usual assurance would tell us, that either there must be no monarchy or no morality left in England.

But after all, how can you suppose that a papist can be made a secretary to a protestant queen, who claims the crown of England from the same authority by which King William III. wore it? Did not most papists declare themselves enemies to the late revolution; and can any papist, whose principle is averse to that revolution, gain upon the queen's favour? Can a secretary of this stamp gain the queen her subjects affections? Or would he not be to her majesty the most dangerous person in all her dominions? Would not men be apt to suspect that this man was preferred for the sake of the pretended Prince of Wales, to assist him to finish what King James II. began? Thus, sir, supposing the worst of this matter, a popish secretary would not be so dangerous a person as you supposed.

But after all, it is surely possible for a Roman catholic to be an honest man, and a lover of his country: The whole nation has been filled with such heretofore, and why may not such men live in credit with their neighbours? Is it contrary to the Roman catholic faith to bear true allegiance to our sovereign lady Queen Anne? whom God preserve to be a scourge to tyranny, and a protectress to injured princes and states. 'Tis possible for a good catholic now, as well as heretofore, to defend her majesty's crown and dignity against all attempts of foreign or domestic enemies. I would not serve the queen in so much as a constable's office, without this resolution. What though I believe transubstantiation? is there any tendency in it to make me either the worse man, or the worse subject? Will not you trust me with an hundred pounds upon my own bond, notwithstanding that point of my belief? And though I know that you do not pretend to have any plain ideas of some doctrines which you believe to be true, yet I should not scruple to trust you with five hundred pounds upon your own note, if you wanted such a sum. But that which I still plead for is this, viz. That no native of England should be discouraged from making himself fit for the greatest trusts of his country; still owning, that whosoever is not well qualified for a trust, ought not to have it committed to him. Nor has he any right to complain, who is not fitted well for an employment, because he is not accepted when he petitions for it; but still where there is a political community, all places ought to be free to the deserver. Supposing that in all the markets of London nobody could be permitted to buy provisions, before my lord-mayor, the aldermen, and common-council had provided for their families, would not all other citizens look upon themselves to be used like aliens and foreigners in their own city? where the poorest inhabitant would have reason of complaint. But now, since any man has liberty to buy as good meat as my lord-mayor, there is no complaint upon this occasion. And if all trusts should be confined to any one sort of men in the land, all other people will think themselves abdicated by the government; at least, not looked upon as children of the same political family. But if all are equally privileged, no man will complain because he is not qualified for a place: Nor can he complain against the government, because he wants friends to recommend him, any more than a poor citizen will complain against the markets, because he wants money.

to buy provisions. My old aunt B——d made it a standing ordinance in her family, That only those children who washed their faces and hands clean in a morning, should have white bread to breakfast: If any one of the children neglected to comply with these terms, he had no reason to complain against his mother for want of affection to him. I know several Roman catholics, who love their country as well as I do; and believe that the popes of Rome have no more authority in England, than the Archbishop of Canterbury has in Italy. Must we be abdicated by our country, because some flattering lawyers and divines of the court of Rome have exalted the pope's power above all the kings upon the earth? Make us therefore a test, whereby an honest catholic may distinguish himself, by owning the queen's rightful title to the crown of England, and all its dependencies, and by disowning the pope's pretended authority upon any account in this realm; the crown whereof is sovereign, imperial, and independent upon any foreign jurisdiction whatsoever. I have now finished my recollection of our discourse, and am,

Sir, yours, &c.

The History of Resistance, as practised by the Church of England: In which it is proved, from most authentic Records, That in every Reign since the Reformation of Religion, the said Church hath aided and assisted, justified and approved of, such Subjects as have defended themselves against the Oppressions of their tyrannical, though natural Princes. Written upon Occasion of Mr Agate's Sermon at Exeter on the 30th of January; and in Defence of the late Revolution, the present Establishment, and the Protestant Succession. By John Withers, 1710.

LUKE xi. 46. "Ye lade men with burdens grievous to be borne, and ye yourselves touch not the burdens with one of your fingers."

Quis tulerit Gracchum de seditione querentem?

The purpose of this Tract is sufficiently explained in the title. The author, a low-church divine, endeavours to bring arguments in favour of his opinion from the writings of Dr Sharp Archbishop of York, Henry Compton Bishop of London, and other dignitaries of the opposite party. In truth, when the question is fairly stated, men of sense and constitutional information must meet each other half way. No constitutional Whig would resist a lawful prince, that is, while he continued to govern as such, and no sensible Tory would scruple to resist a tyrant, that is, a prince who rules not by the laws, but by his own arbitrary will. There would in reality be no difference of general principle between the parties, although they might differ upon the degree of aggression, on the part of the sovereign, which should render resistance lawful.

The Judgment of the present Archbishop of York, concerning this Doctrine, in his Sermon preached before the Lords, on Jan. 30th, 1700. p. 20.

As the laws of the land are the measures of our active obedience, so are also the same laws the measures of our submission; and as we are not bound to obey, but

where the laws and constitution require our obedience, so neither are we bound to submit, but as the laws and constitution do require our submission.——

——If indeed a preacher should in the pulpit presume to give his judgment about the management of publick affairs, or to lay down doctrines as from Christ about the forms and models of kingdoms or commonwealths, or to adjust the limits of the prerogative of the prince, or of the liberties of the subject in our present government: I say, if a divine should meddle with such matters as these in his sermons, I do not know how he can be excused from the just censure of meddling with things that nothing concern him. This is indeed a practising in state matters; and is usurping an office that belongs to another profession, and to men of another character; and I should account it every whit as undecent in a clergyman to take upon him to deal in these points, as it would be for him to determine titles of land in the pulpit, which are in dispute in Westminster-Hall.—Page 6th.

The present Bishop of London, Dr Henry Compton, and the Clergy of the Cities of London and Westminster, in their Address presented to her Majesty, August 22d, 1710.
Say they,

We thank God, from the bottom of our hearts, for the legal provisions, in this regard, made, to secure us from popery and arbitrary power, which we once, through the divine assistance, vigorously and successfully withstood, when they were breaking in upon our constitution; nor shall we fail to manifest an equal zeal against them, whenever, and by what means soever, they shall meditate a return.

The History of Resistance, &c.

Historians tell us, "That when the tongue-tied son of Cræsus saw the fatal sword just ready to be sheathed in his father's bowels, his surprise and indignation raised such an emotion in his blood and spirits, as tore asunder those little membraneous fetters, which held the grand organ of speech a prisoner from his very birth." I doubt not but every true Englishman will readily confess her present majesty to be the common mother of her people; when, therefore, such doctrines are divulged from the pulpit, as will blacken her conduct, and weaken her title, I need no other apology to justify this present essay, in vindication of them both.

It might have been expected, that Mr Agate's splenetick temper should have been fully eased by that torrent of gall, which he has poured forth on the dissenters; and that the members of his own church might have obtained a fairer quarter from him: But so flagrant is this gentleman's zeal, that it burns up every thing which stands in its way. Of this the city had a notable instance on the thirtieth of January last, when, taking for his text, "God's sending his prophet to a rebellious nation;" and having a fling at the House of Commons, by remarking, "That God's ministers must tell people of their faults, though fined and impeached for their labour;" he undertakes to prove this proposition, "That resistance to the higher powers, upon any pretence whatsoever, is absolutely unlawful. But suppose (says he, in the midst of his declamation) the prince should endeavour to overthrow the constitution, and bring in popery, may he not be resisted in such a case? Oh no! God forbid! For he that resisteth, resisteth the ordinance of God, and shall receive to himself damnation."

Now, it is known to all the world, that the late King James did endeavour to bring

in popery; that in this attempt he was resisted by the Prince of Orange, with whom concurred our queen, our nobles and bishops, our gentry and clergy, who, if this doctrine be true, are all involved in the guilt of a damnable rebellion. Besides, if the nation was guilty of a damning sin in resisting King James, they are obliged to repent of it as they value the salvation of their own souls. Now, repentance is the undoing what was done amiss: If I have wronged and cheated my neighbour, it is a vain thing for me to pretend repentance, unless I make him reparation as far as I am able. Mr Agate's friends, the nonjurors, will tell him of a gentleman on the other side the water, who was acknowledged in all the churches in England to be King James's son, and that in the most solemn acts of worship, when men can never be excused if they speak what they do not think. And that the nation can never repent of resisting King James, but by making satisfaction and restitution to——Accordingly the grand patrons of passive obedience actually refuse to recognize her majesty's title, and reserve their allegiance for the Pretender. It is to promote his interest, no doubt, that these high fantastick principles have been so zealously inculcated by the Rehearser and his party; and I wish that others may not espouse them for the same reason.

But let us hear a little more of Mr Agate's oratory: "If any (says this declaimer on the thirtieth of January) who have been baptized into our church, are for the doctrine of resistance, I pronounce them to be enemies both to our church and constitution." And so made it the main drift of his discourse to persuade his hearers, "That none but atheists and deists, papists and dissenters, ever thought it lawful to resist the higher powers upon any pretence whatsoever."

I have read, that before the Reformation, the Archbishop of Canterbury was called *alterius orbis papa*; the pope of another world: But that the curate of St Mary Arches should set up for a British pope; that he should assume to himself a power of pronouncing who shall be esteemed a true churchman, and who not, this, I confess, is new, and would surprise me, were not the humour of the man pretty well known, and that he is remarkable for nothing more than an uncommon measure of assurance.

The design, therefore, of these Historical Collections, is to convince this part of the world, that the church of England in former ages, did not espouse those slavish principles, which Mr Agate pretends to be its standing doctrine: And that no more is now said by whigs or dissenters on the point of resistance, than what has been formerly practised by bishops and convocations. To make this matter clear, I would premise two or three things, which no reasonable man can deny me.

First, Men's actions are the best expounders of their intentions, and their principles may be best discovered by their practices.

Secondly, If all resistance of subjects to their princes be rebellion, then all such as aid and abet such rebels involve themselves in the same guilt. Our lawyers will tell us, "That in treason there are no accessaries, but all are principals." We may partake in other men's sins, by administering counsel, direction, or assistance, towards them; as the famous Dr Sacheverel has very truly determined.* When, therefore, our church gave aid to such as defended themselves against the oppression of their own princes, this is the same thing as if they had themselves resisted. These things premised, I come to prove the point proposed by me in these sheets.

As the reformation of religion in the church of England may be dated from the short reign of King Edward the Sixth, so that the protestants of that age did not look upon resistance upon any pretence whatsoever as absolutely unlawful, may be demonstrated from the conduct and demeanour of these very persons under his immediate successor Queen Mary. 'Tis known to every one who has the least acquaintance with our English histories, how that young prince was prevailed upon by the artifices

* Hale's Pleas of the Crown, p. 215.

2 Sermon at Derby, p. 10.—Orig. Notes.

of the Duke of Northumberland, when in a languishing condition, to nominate the Lady Jane Grey for his successor to the crown; a young lady of most incomparable parts and virtues, and a zealous lover of the Reformation; but who, though she had royal blood in her veins, yet had no title to the crown, either by virtue of heirship, or any parliamentary settlement. That which principally influenced King Edward to this act, was the known bigotry of his sister Mary, and her passionate devotion to the see of Rome; which made him fear that she would destroy what he had done, as accordingly it came to pass. Upon the death of this excellent prince, the Lady Jane was proclaimed in London; but the generality of the nation adhered to the princess Mary, on whom the succession was entailed by the estates of the realm in parliament assembled. Whilst the two rival queens were contending for a diadem, Dr Ridley, at that time Bishop of London, renowned for his piety and learning, and, above all things, for his constancy in martyrdom, and the generous testimony which he bore to his Redeemer's cause; this great man preached a sermon at St Paul's cross, to advance the title of Queen Jane. Amongst other things, "He pressed the inconveniences which might arise, by receiving Mary for their queen; prophesying that which after came to pass, namely, that she would bring in a foreign power to reign over this nation; and that she would subvert the true religion, then established by the laws of this realm." So that this great prelate was so far from believing all resistance to be a damnable sin, that he publicly exhorted the people to defend their religion and liberties against the right heir to the crown. Nor can it be pretended that he was a puritanical bishop; his contest with Bishop Hooper, in defence of the habits and ceremonies of the church, will evince the contrary.

Queen Mary had not long been in the peaceable possession of her kingdom, before the promises made to those who drew their sword in her quarrel were quite forgotten, and she displayed the perfidious cruelty, not so much of her nature as her religion. The protestant bishops were displaced; the supremacy of the pope recognized; and that structure which her brother had been so many years in raising, was in a little time razed to the very ground. In one word, the gaols were quickly crowded, and the Roman vultures, those birds of prey, were whetting their greedy beaks and talons, and preparing their stomachs for a bloody banquet. This, together with the queen's throwing herself into the arms of the king of Spain, created a general dissatisfaction throughout the kingdom; insomuch that conspiracies were formed, and insurrections intended, in divers parts; all which came to little, except that headed by Sir Thomas Wiat, a Kentish gentleman, of great estate and interest, who marched up to London with an army of some thousands at his heels: And if the issue proved abortive, " 'Twas because his treason fell in labour some weeks before the full time thereof;" as Dr Fuller expresses it.² Dr Heylin, who was one of Laud's chaplains, and a most bitter enemy to the presbyterians, assures us, That it cannot be denied "but that the restitution of the reformed religion was the matter principally aimed at in the rebellion of these men, though nothing but the match with Spain appeared on the outside of it;"³ and that Dr John Poinet, Bishop of Winchester in King Edward's days, was not only of council in the plot, but put himself into their camp."⁴ So that here was one bishop preaching against the queen's title; another actually joining with such as were in arms against her; and surely absolute non-resistance could not be an article of their faith. Nay, the protestants of the church of England, at that time, were so far from thinking it their duty to stand still, whilst their throats were cutting, that if this high-church historian deserves any credit, they were generally disposed, throughout the nation, to defend their religion and liberties with their swords: For, speaking of Wiat's insurrec-

² Heylin's History of the Reformation, &c. Edit. 2. pt. 1. p. 162. ³ Church-Hist. l. 8. p. 11.

⁴ Heylin's History of Reformation, pt. 2. p. 34.

¹ Ibid. p. 33.—Orig. Notes.

tion, he tells us, "That all they that wished well to the Reformation were hooked in [to approve his design,] upon the like hopes of restoring that religion which had been settled by the care and piety of the good King Edward, but now suppressed, contrary to all faith and promise, by the queen and her ministers." The doctor adds, "That the contagion was so generally diffused over all the kingdom, that if it had not accidentally broke out before the time appointed by them, it was conceived, by many wise and knowing men, that the disease might have been incurable." If this be a true relation, we may conclude that our first reformers had not imbibed those slavish principles which Mr Agate pretends to be the standing doctrine of his church.

To Queen Mary succeeded Queen Elizabeth, to whose auspicious influence and wise conduct the church of England owes its present establishment. During her glorious administration, both bishops and nobles, clergy and laity, concurred in lending their helping hand both to the French, Scots, and Dutch, when defending themselves against the violence and oppression of their own princes. A demonstration, that the doctrine of the bow-string was not at that time the doctrine of the church of England. To give some instances.

In the year 1559, such of the Scottish gentleman as had embraced the Reformation, and who were called the lords of the congregation, thinking they had just reason to defend themselves against the oppression of the queen regent, and her popish faction, took up arms, and craved aid of Queen Elizabeth. Mr Cambden tells us, that this matter was seriously consulted of in England, and the result of all was, that to fail the professors of the same religion, seemed a point of impiety.² Hence I infer, that the Scots at that time professed the same religion with the English; and that the resistance which the former made, was not looked upon by the latter as a damnable rebellion; for then it had been impiety, not to desert, but to assist them: Whereas a stout band of soldiers, with a train of artillery, was sent into Scotland to their aid.

In the year 1562, the protestants in France, being made desperate by the many butcheries and massacres that they were exercised with in divers parts of the kingdom, thought it lawful for them to stand upon their guard, and repel force by force. This they did, being headed by the Prince of Condé and the Admiral de Coligny: In these circumstances they address themselves to Queen Elizabeth, who sent over the Earl of Warwick, with a well-appointed army, to their assistance;³ and, at the same time, "Earnestly solicited the protestants of Germany to relieve Condé, and defend the common cause of religion."⁴ In the latter end of this year, the estates of the realm were assembled in parliament and convocation, "who granted the queen, the ecclesiastical men one subsidy, and the laity another, with two fifteenths and tenths; and this grant was declared to be made, among other reasons, for the laudable enterprise in France."⁵ That the reader may have a clearer notion of this matter, he must consider, that though at present our clergy are taxed by parliament, and pay for their benefices as gentlemen do for their estates, yet before the restoration of King Charles the Second, they were taxed by their representatives in convocation. In the instance now before us, the bishops and dignitaries of the church were so far from looking upon that resistance which the French protestants made to their perfidious queen regent, (the king her son being then a minor) to be a damnable rebellion, that they called the design of aiding and abetting of them a laudable enterprize, and contributed largely thereunto. And now, let Mr Agate tell us what he will pronounce of these men, who were the fathers and founders of his own church.

Upon the breaking out of the second religious war in France, in 1569, "The queen of England failed not to relieve the protestants in that kingdom, and exhorted the

² Heylin's History of Reformation, &c. pt. 2. p. 33.
4th, p. 36.

³ Ibid. p. 62.

⁴ Ibid. 64.

⁵ Cambden's Hist. of Queen Elizabeth, edit.
Ibid. p. 64.—*Orig. Notes.*

princes of the same profession to take upon them the defence of the common cause." The *Sieur d'Aubigne*, a French historian, tells us, "That she remitted over an hundred thousand angelots;" by which, I suppose, he means English angels; for I can't learn that there is any French coin so called, (a very considerable sum in those days) "with a train of artillery."² And no doubt but she was encouraged hereunto by the determination of her own bishops and clergy.

The story of the unfortunate Scottish queen is known to most, who, being driven out of her own kingdom, took sanctuary in England, where she was kept a prisoner many years, and at last lost her head on a scaffold. During her captivity, the Duke of Norfolk had formed a design to marry her, and so raise disturbances in the nation. This alarmed the parliament, who made very severe votes and petitions against her; in one of which they thus address themselves to Queen Elizabeth: "We your majesty's most humble and faithful subjects assembled in parliament—A queen of late time, and yet through her own acts now justly no queen, a nigh kinswoman of your majesty's, and yet a very unnatural sister, Lady Mary Steward, late Queen of Scots," &c.³ I find by the queen's answer, reported to the house by Mr Treasurer, "That the lords joined with the commons in this petition;"⁴ which I desire the reader to remark for the bishops sakes. Should any person affirm, That King Charles was justly put to death, Mr Agate would represent him as much a regicide as Cromwell or Bradshaw; and no doubt but he would be a sharer in their guilt. "We may be partakers of another man's sin in commending, approving, excusing, or defending it afterward," as the high-church hero, Dr Sacheverel, has very orthodoxly determined.⁵ In the instance just now cited, we have the bishops, the nobles, and gentry of the church of England, with all solemnity declaring, "That the late Queen of Scots was then justly no queen;" that is, in other words, she was justly deprived of her regal dignity. And by this declaration they did justify that resistance which her subjects made unto her: This they could not have done, had they then looked upon all such resistance as an enormous crime.

A little after this, the natives of Flanders and Holland, being harassed by the terrors of the Inquisition, and the barbarity of the Duke of Alva their governor, thought it lawful for them to defend their lives and religion against those instruments of cruelty, that were made use of to oppress them. Under these persuasions, several provinces and great towns revolted from the King of Spain, their natural sovereign, under the conduct of the Prince of Orange; and the better to secure themselves against the formidable power of that haughty monarch, they offered to transfer their allegiance to the Queen of England, and become her vassals. But though her majesty did not think fit to accept of this proposal, yet after serious deliberation she resolved, "That it was Christian piety to relieve the afflicted Netherlanders, embracers of the same religion which she professed."⁶ And, accordingly, a well-appointed army, both of horse and foot, was actually sent over to their assistance: This was done about the latter end of the year 1585. The next year there was a session of parliament: I find in the printed journal of the House of Lords, "That the commons made humble suit to their lordships, to join with them in a contribution or benevolence for the charges of the Low-Countries wars."⁷ The lords appointed a committee of their own body to consider this motion; of which number were the two Archbishops of Canterbury and York, the bishops of London, Winchester, and Salop. Upon conference among themselves, "It was resolved and agreed to by the whole house, That a subsidy of two shillings in the pound should be granted by the temporal lords, inasmuch as the lords spiritual had made

¹ Camden's Hist. of Q. Eliz. edit. 4th, p. 137.

² Journal of Parliaments, &c. p. 215.

³ Histoire Universelle, l. 5. c. 10.

⁴ Ibid. p. 219.

⁵ Sermon at Derby Assize, p. 11.

⁶ Camden's Hist. of Queen Eliz. p. 321.

⁷ D'Ewe's Journal of Parliaments, &c. p. 386.—*Orig. Notes.*

former offers of contribution to her majesty, [*i. e.* in convocation.]¹ I must leave the reader to judge, whether absolute non-resistance could be a doctrine of the church at this time, when the bishops and convocation of clergy, laid a tax on themselves and their brethren, for the charges of the Low-Countries wars; that is, in other terms, for the aiding and abetting those very persons who were at that time actually resisting their own lawful, but tyrannical prince. I would crave leave to make this one remark more, That the clergy were not at that time headed by Sacheverel's perfidious prelate Grindal, but the metropolitical dignity was then possessed by Dr John Whitgift,² whose zeal against the puritans, and for the discipline and ceremonies of the church, are notorious to all such as have the least acquaintance with our English records.

In the year 1593, the estates of England were again assembled in parliament at Westminster; "Who, taking into their consideration the bent of the enemies to work the destruction of England, by suppressing its confederates in France, Scotland, and the Low-Countries, and the great expence her majesty had been at, not only in defending her own kingdoms, but also in justly relieving her confederates according to contract, they with most thankful hearts granted the clergy two entire subsidies, and the laity three, with six fifteenths and tenths."³ Here again, we have the convocation and parliament, the representatives of the clergy and laity of the church of England, declaring, in the most publick solemn manner, "That Queen Elizabeth did justly in relieving her confederates" [the Dutchmen:] (for Mr Cambden assures us, that these are the very words of the act of parliament.)⁴ Whereas, had they looked upon that resistance, which these men made to their natural king, to be a damnable rebellion, the aiding and assisting of them in such an enterprise, would have been a most barbarous injustice. And the clergy would have been guilty of a most inexcusable prevarication, in approving a known injury; but if they had any thing of sincerity in them, as I hope and believe they had, they must be strangers to Mr Agate's slavish doctrine.

I have one remark more to make on this parliament: It was so far from being a puritanical assembly, that this is the very parliament which made that severe law, which inflicts death or banishment on those who absent themselves from the service of the church for a month's time, and will not recant their nonconformity. I hope the authors of such an act may pass for true sons of the church; and yet these very gentlemen gave large supplies, to enable the Dutch to resist their own prince.

The instances I have given are a demonstration that Mr Agate's notions were not the standing doctrines of the church during Queen Elizabeth's glorious and triumphant reign.

To Queen Elizabeth succeeded King James I. in 1602, who delighted to be called a pacific king; and a little after his access to the throne, made peace with the King of Spain: However, he still maintained a fair correspondence with the revolted Hollanders; and as they had put into the hands of Queen Elizabeth the strong fortresses of the Brill, Flushing, and Ramechins, as cautionary towns for the money she had lent them, so King James kept them garrisoned with English soldiers till the year 1616, when he delivered them up to the States General.⁵ Whereas, had he looked upon the resisting Dutchmen, as involved in the guilt of a damnable rebellion, he ought in conscience and honour to have surrendered them to the King of Spain, their rightful owner.

I find it affirmed by an unexceptionable historian, "That the chiefest strength of the united provinces consisted in English and Scottish soldiers who were in their army:"⁶ This was in the year 1607,⁷ when King James had been several years possessed of the

¹ D' Ewe's Journal of Parliaments, &c. p. 387.

³ Ibid. p. 469.

⁴ Ibid. p. 468.

⁶ Bentivoglio's History of the Wars of Flanders, p. 373.

² Vid. Cambden's Hist. of Queen Eliz. p. 288.

⁵ Heylin's Cosmography, edit. 2d. p. 385.

⁷ Ibid. p. 369.—*Orig. Notes.*

English crown. An argument that the British subjects were permitted to list themselves in the Dutch service, which I hope our government would not have allowed of, had they looked upon this as the aiding and abetting a pack of rebels, and the hardening them in a damning sin.

In 1609, I find mention of 4000 English, commanded by Sir Edward Cecil at the siege of Juliers, assisting the Dutch in the recovery of that town out of the Spaniards hands;¹ and in the year 1624, four English regiments of foot, of 1500 men each, were sent into Holland, to countenance the same resisters.² One of the colonels commanding these regiments was the Lord Willoughby, since Earl of Lindsey, who was so far from being a Puritan or a Roundhead, that he was King Charles his general in our late civil war, and lost his life whilst fighting under the royal banner.³

About this time there were commotions in France, and the Duke de Soubise, one of the protestants generals, being routed, made a shift to escape into England; and though he failed in his attempt of persuading King James publickly to espouse their quarrel, yet the French historian assures us, "That he was so much favoured by the English in general, that they gave him such considerable succours as enabled him to lade ten or a dozen vessels with all sorts of necessaries for the relief of Rochel, at that time besieged by the king's forces."⁴ It can hardly be conceived, that this preparation should be made without the connivance of our court. I must leave the reader to judge, whether the instances produced are not a demonstration, that Mr Agate's slavish doctrine was a stranger in the gates of Englishmen, during the reign of King James.

To him succeeded King Charles I. in the year 1625, who being disgusted with the Spaniard, resolved upon a war with that crown; but having dissolved his parliament abruptly, (who were willing to supply him in a legal way) because they clashed with his mighty favourite the Duke of Buckingham, his ill-advised counsel persuaded him to raise money by way of loan; that is, particular men had privy-seals sent to them, requiring them to lend the king such sums of money as his commissioners thought them capable of sparing. This had a harsh sound in the ears of free-born Englishmen; and therefore, that they might be charmed into a compliance, his majesty was advised to tune the pulpits, as Dr Heylin calls it; and accordingly instructions were ordered to be drawn up in order to be communicated to all the bishops and clergy in England, according to which they were to govern themselves in recommending this loan unto their people. The person appointed to prepare these instructions was Bishop Laud; and I hope Mr Agate will pronounce him a true churchman. This task he performed to the satisfaction of the court: Amongst other arguments to excite the generosity of the subjects, the necessity of putting a check to the growing greatness of the House of Austria, and King of Spain, who had over-run almost all Germany, was principally insisted on: Nor can it be thought (say these instructions) the Low-Countries can hold out long against him, if he once become lord of the upper parts.⁵ The inhabitants of the Low-Countries had at this time been struggling hard against the Spanish power for more than 40 years, with little intermission. And our bishops and clergy were so far from thinking them guilty of a damning sin, that they exhorted the people to a liberal contribution, to enable them to hold out long, or, in other terms, to persevere in that resistance which they were then making to their hereditary monarch. It is further worthy our observation, that Sybthorp, Manwaring, and the Laudean faction, were most zealous to promote this loan, whilst the puritans and low-churchmen were more on the reserve, as disliking the arbitrary methods made use of in raising money without consent of parliament.

¹ History of England, vol. 2. p. 683.

⁴ Histoire de l'Edit. de Nantes, Tome 1. liv. 8.

—Orig. Notes.

² Ibid. p. 787.

³ Ibid. p. 790.

⁵ Heylin's Life of Archbishop Laud, p. 163.

A little after this, a war broke out betwixt England and France; at the same time the reformed in that kingdom having received encouragement from hence, and seeing the most solemn treaties violated by their perfidious enemies, endeavoured to re-establish their affairs by force of arms. Upon this, the King of France laid siege to Rochel, a populous and wealthy city, and so prodigiously strong, that the enemy could not reduce it but by starving it into a surrender. During this siege, the English made great preparations to relieve the town, and several fleets were sent out to that purpose, though all without effect. The Bishop of Sarum tells us, "That in the year 1628, during the siege of Rochel, there was a publick fast appointed upon that account over England; and the besieged were prayed for as our brethren, and success to them was by that form prayed for: I have (says his lordship) the form of prayer."¹ We are told by a French historian, that whilst the English fleet lay before the town, the French king did, in his own person, every day visit those prodigious works which were built a good way out in the sea, to hinder any succours from being thrown into it.² The Rochellers at that time did certainly resist their king, if shooting of musquets and firing of cannon against him and his army may deserve that term; and yet all the bishops and clergy of England did beg of God to give them success in this very enterprise. Certainly if our words and thoughts should at any time harmonize, 'tis when we lie prostrate before the Supreme Majesty, that God who sees the secret springs and principles by which we are moved, and whose eyes can penetrate the dark recesses of human souls. Did our clergy look upon these resisters engaged in a damning sin, when they prayed God to succeed them in it? This would be such a cursed hypocrisy, such a prophane mocking with the Almighty, that we cannot in charity or justice accuse them of it.

To King Charles the First succeeded his son of the same name; during whose reign the doctrines of passive obedience and non-resistance were recommended in some pulpits as so many articles of faith.

However, though the courtiers encouraged the preaching up this doctrine for reasons of state, yet, I think, it may be demonstrated, that those who sat at the helm did not themselves believe one word of it; and that, by their own conduct, in relation to other kingdoms. Some years before the Restoration, the Portugueze revolted from the King of Spain, to whom they had sworn allegiance, and to whose ancestors they had been subject for sixty years successively; having shaken off the Spanish yoke, they advanced John Duke of Braganza to the throne, and invested him with the royal purple.

In the year 1662, King Charles II. married the Princess Katherine, daughter of King John, lately deceased, and sent over a stout band of English soldiers to the assistance of his new relations,³ by whose valour and resolution the Spanish armies were entirely defeated, and the house of Braganza established in the throne.

If it be said, That in this instance, the English did only assist the right heir against an usurper, I have these two things to offer:

1. In the year 1580, Henry King of Portugal having no issue, and foreseeing, that after his decease there would be several competitors for the crown, (of whom Philip II. King of Spain, his sister's son, was one) with the consent of his cortes, or parliament, appointed a committee of lawyers and statesmen to govern the kingdom upon his death, and declare the right of succession. All persons were sworn to stand to the determination of these judges, and the Duke of Braganza amongst the rest.⁴ A little after this, King Henry died, and some time before his death, declared himself publicly for King Philip:⁵ After his decease, the governors gave their definitive sentence in fa-

¹ The Bishop of Sarum's Vindication, &c. p. 70.

² Sa Majeste n'en passa pas un jour, quelle ne visitast la digue, et tous les travaux, &c. Jean de Serres Inventaire general de l'Histoire de France, p. 1063.

³ History of Portugal, p. 503, 509, &c.

⁴ Ibid, p. 352.

⁵ Ibid p. 353.—Orig. Notes.

vour of the said king; and the Duchess of Braganza (from whom the present Kings of Portugal do claim) surrendered also all her interest and pretensions to him. And all this was followed by a peaceable possession of the kingdom for sixty years successively by the said Philip, his son and grandson, Kings of Spain. I must leave it to the civilians, and dealers in politicks, whether all this will not give a valid title.

2. But supposing the King of Spain be never so much an usurper, yet the family of Braganza (for whom our English fought) were not the next heirs to the crown; nor could they claim it by virtue of the right line of succession. The Duke of Braganza was descended from Katherine, second daughter to Prince Edward, fourth son to Emanuel King of Portugal. On the other hand, the Dukes of Parma are descended from Mary, eldest daughter to the said Edward.² And every person knows, that the posterity of the elder daughter ought to inherit before that of the younger; so that King Charles, and his church-of-England council (for I hope Mr Agate will allow that character to the Earl of Clarendon, at that time prime minister) did aid and assist the Portugueze, in setting up and maintaining a king of their own chusing, who was not the next heir to the crown in the right line of succession. This is matter of fact, and undeniable.

In 1656, died John King of Portugal,³ leaving behind him two sons, Alphonso and Peter, both minors, under the tuition of their mother the queen regent. In 1663, King Alphonso, the elder, took the reins of government into his own hands; but being of an extravagant humour, and guilty of some unaccountable odd actions, which I believe were aggravated by his enemies, to make him odious, he was deposed by the assembly of estates in 1668, and condemned to a perpetual imprisonment, whilst his younger brother Peter was made regent of the kingdom, and at last king.⁴

In this mighty revolution, (which was far from being so just or necessary as that in Great Britain some 20 years ago,) the King of England was one of the first who acknowledged the new regent; and by the interposition of his ambassadors, the Earl of Sandwich, and Sir Robert Southwell, a peace was presently concluded between the crowns of Spain and Portugal; "his Britannick majesty being declared the mediator and guarantee of it."⁵ So that if the Spaniard should have attempted to restore King Alphonso to his former dignity, the English, by virtue of this guaranteeship, stood obliged to assist the prince regent against his deposed sovereign and elder brother. This is a demonstration, that the prime managers in King Charles his reign, who encouraged the preaching up the absolute unlawfulness of resistance upon any pretence whatsoever, did never intend to govern themselves by such a rigid maxim. This is further evident, by their demeanour towards his brother and successor,

K. James II. whose zeal for popery, and love of arbitrary power, tempted him to make large breaches in the constitution of the kingdom, both civil and ecclesiastical: Upon this the Prince of Orange was invited over; who came with a well-appointed army, and being assisted by all sorts of people, the late Revolution did ensue. But how is this reconcileable with Mr Agate's notions? Our adversaries (says this echo of Sacheverel in his declaration on January 30th) object to us the late Revolution; but the prince himself has answered this, for he declared against resistance. Certainly this gentleman must have a very contemptible opinion of his own auditory, when he supposes them so despicably credulous to believe his idle rant, before their own eyes. Are there not thousands still living within the walls, who saw those armed legions which passed through the city; who saw the church-yard crowded with cannons and mortars, and the river covered with ships full of warlike stores and ammunition? And

² Heylin's *Cosmography*, edit. 2. p. 279.

³ *Ibid.* p. 280.

⁴ *Hist. of Portugal*, p. 563.

⁵ *Hist. of Portugal*, p. 563.

⁶ *Ibid.* p. 564.—*Orig. Notes.*

can any of these be so abandoned of common reason, as to imagine, that the prince intended no opposition to King James's forces? Besides, had he declared against resistance, as Mr Agate most foolishly and falsely affirms, would any gentlemen have joined him, to be sacrificed to the resentments of a bigotted prince, and that without remedy? Would any have listed under his banner, to be cut in pieces without resistance? A man must first shake hands with humanity itself, before such a senseless imagination can find any harbour in his bosom.

'Tis true, the prince declared, that he came not to conquer and enslave the nation, as was suggested by his enemies: "Nor can it be imagined," says his highness, "that those who have invited us, can join in a wicked attempt of conquest, to make void their own lawful titles to their honours, estates and interests." The plain meaning of which is only this; That his design was not to make us vassals to the Dutch, and divide the gentlemen's estates amongst his own troopers, as William, surnamed the Conqueror, had done. But that he should declare against resisting King James and his ministers, who were at that time the highest powers in the nation; this is a groundless fiction, and I fear a premeditated wilful falsehood.

The truth on't is, though the very word *resistance* be not found in his declaration, yet there be other expressions which do necessarily suppose and infer it. In his first declaration, dated October 10, having enumerated those grievances in church and state, which he came over to redress, he invited and required all persons whatsoever to come and assist him, in order to the executing his design, against all such as should endeavour to oppose him.² And 'tis impossible this should be done without resisting such opposers. In a second declaration, which disclaims a design of conquest, his highness thus expresses himself: "After we had printed our declaration, we have understood that the subverters of the religion and laws of these kingdoms, hearing of our preparations to assist the people against them, have begun to retract some of the arbitrary powers that they had assumed, the sense of their guilt, and a distrust of their force, having induced them to offer to the city of London some seeming relief from their great oppressions."³ Now, it was King James, who had sent for the lord mayor and aldermen of London, when terrified with the noise of an invasion, and told them with his own mouth, "That he would restore their ancient charters to them."⁴ 'Twas he and his council, who had retracted their arbitrary powers in relation to the Bishop of London and Magdalen-College. These are the subverters of whom the prince speaks, and he declares to all the world, "That he came to assist the people of England against them." But how could this be done without resisting those oppressors? Should the queen's general in Spain declare, that he was sent over by his mistress to assist the well-affected people against the Duke of Anjou and his faction; is not this the same thing as to declare for resistance against the said duke? The same may be said in relation to the Prince of Orange.

Add to all this, that men's intentions may be as fully declared by their actions as by their words: When his highness brought over an army of 14,000 men, this was a more full and ample declaration of his design to awe King James into a compliance, than any words that he was capable of using. Besides, there was resistance actually made by his troops at Wincanton and Reading, where several men were killed and wounded.⁵ And when he came near London, the Dutch guards marched through St James's Park, with lighted match, and in a fighting posture, in order to relieve the posts at White-hall; ⁶ and would have cut King James his guards in pieces, had they not dislodged, or lost their own lives in the attempt.

After all this, what can we think of this gentleman, who, in defiance of this noto-

² Hist. of England, vol. 3. p. 493.

³ Ibid.

⁴ Ibid.

⁵ Ibid, vol. 3. p. 490.

⁶ Ibid. p. 498, 499.

⁷ Ibid. p. 503.—Orig. Note.

riety of fact, durst tell his congregation, That the Prince of Orange declared against resistance? Nothing can be more astonishing than the confidence of such a declaimer, unless it be the incorrigible silliness of those who are resolved to believe his furious rants before their own sense and reason.

Upon this occasion, it may not be amiss to consider what was said and done by our nobles and gentry, who invited over the prince, and who acted in concert with him when he came. One of the chief of these was the Earl (afterwards Duke) of Devonshire, who, with divers of the nobility and gentry, rendezvoused at Nottingham; where they subscribed a declaration, in which they thus expressed themselves: "We own it rebellion to resist a king that governs by law; but he was always accounted a tyrant that made his will his law, and to resist such an one we justly esteem no rebellion, but a necessary defence," &c.¹ A few days after this, the Princess of Denmark, (now our most gracious queen) the present Bishop of London, with others of the first rank, retired to Nottingham, and actually joined those gentlemen, who declared their resolution to resist in the most express and formal manner.² Fain would I ask our profound casuist, Whether the princess and bishop were guilty of a damning sin in that affair? for he must necessarily condemn his doctrine or his sovereign.

Whilst the prince was in Exeter, he was joined by the gentlemen of the eastern countries, Sir Edward Seymour, Sir William Portman, Col. Lutterel, with many others of great estate and interest, who were never in their lives suspected of whiggism, much less of fanaticism: These gentlemen entered into an association, in which they did engage to God, and one another, that if any attempts were made upon his highness's person, "we will pursue (say they) not only those that made them, but all their adherents, and all we find in arms against us, with the utmost severity of just revenge, in their ruin and destruction."³ Certainly this is declaring for resistance with a vengeance.

About the same time the Lord Lovelace, coming with a train of gentlemen to join the prince, was intercepted and taken prisoner at Cirencester, but not before he had resisted unto blood; there being ten or twelve men killed in the scuffle.⁴

During these transactions, the citadel of Plymouth was secured for the prince; the Earl of Huntington, and others, who had King James's commission, being made prisoners. The Earl of Shrewsbury and Sir John Guise forced the Duke of Beauford to surrender to them the city of Bristol.⁵ The Earl of Danby (now Duke of Leeds) wrested York out of the hands of the Duke of New-Castle. Hull was surprised by Col. Copley, and the governor made a prisoner.⁶ And to conclude all, the two archbishops, Sancroft and Lamplugh, the Bishops of Winchester, St Asaph, Ely, Rochester, and Peterborough, met at the Guildhall, London, with several temporal lords, where they declared for the Prince of Orange; telling the lord-mayor and aldermen, That he had undertaken to rescue them from popery and slavery.⁷ Which how it could be done without resisting such as would enslave them, is hard to be conceived. They also turned Col. Skelton, who had King James's commission to be lieutenant of the Tower, out of his place, and put the Lord Lucas in his room.⁸ If Mr Agate will consult our law-books, or lawyers, they will tell him, That the holding a fort or castle against the king, [much more than the wresting of them out of his hands] is a levying war against him.⁹ And sure the levying war against the king is resisting him, if there be any such thing in nature. And this is what Archbishop Sancroft, with many of his brethren, were guilty of, and that before the abdication. But will Mr Agate therefore pronounce them to be no true churchmen? This may serve for a specimen of what was done and said by th Prince of Orange and his adherents.

¹ History of K. Will. 3d V. 1. p. 368.

⁴ History of K. Will. 3d. V. 1. p. 358.

England, V. 3. p. 500.

³ Ibid. p. 501.

² Ibid. p. 369.

⁵ Ibid. p. 367.

⁹ Vid. Hale's Plea of the Crown, p. 14.—*Orig. Notes.*

³ History of England, V. 3. p. 496.

⁶ Ibid. p. 368.

⁷ History of

If it be demanded, Whether our English clergy were merely passive in that great turn of affairs? we are assured of the contrary by Dr Atterbury, Dean of Carlisle, against whose testimony Mr Agate durst make no exception. Speaking of the Lords of the Articles in Scotland, he tells us, "This was thought a badge of slavery by the Scotch; and therefore, towards the beginning of this revolution, when the chains were knocked off every where from his majesty's subjects, this committee was abolished. And had the English clergy then lain under any undue restraint, they too might have hoped for a relief from it as soon as any men; since none had been more instrumental than they in promoting the common deliverance." But how did they promote it? Was it by preaching up passive obedience and non-resistance? By telling the people that 'twas not lawful, upon any pretence whatsoever, to take up arms against their lawful king, or those that were commissioned by him? And that they that did so should receive to themselves damnation? Had this doctrine been preached and believed then, instead of knocking off the nation's chains, it would have rivetted them the faster on us; and King James, with one troop of his dear Irish joys, might have cut the throats of all such as stood in the gap to prevent a deluge of popery and slavery from breaking in upon us.

That learned dean, who gives us this account of the clergy's conduct, wrote a book in the last reign, to prove, that, according to our present constitution, the convocation has a right of meeting and sitting, as often as a new parliament is summoned, as also of deliberating about ecclesiastical affairs, without license under the great seal. He urges, amongst other things, "That the convocation, sitting with the parliament, might be useful to the state, as well as to the church; that so they [the lower house of convocation] may be in heart, and always at hand, to stand up with them, [the House of Commons,] in behalf of liberty, when it shall be attacked, and to resist a growing tyranny either in church or state, as it may happen. For arbitrary government is a spreading and contagious thing." I don't think there is any doctor in England subtil enough to let us know, how we may resist tyranny, without resisting the tyrant: Which is all that Mr Hoadly, or any of his principles, contend for. From the general approbation that this book hath met with amongst the clergy, I may reasonably infer, that seeing one great use of convocation is to resist tyrants, that therefore the clergy cannot look upon all resistance to be unlawful, for sure they cannot be fond of liberty to damn their own souls, nor yet be angry when they are denied it.

If we cross over into Ireland, to see how affairs were managed there, 'tis known to all the world how Londonderry defended itself against King James in person, the garrison being commanded by Mr Walker, a clergyman. In the year 1690, King William, Prince George, abundance of the nobility and gentry, with a gallant army, were wafted over into that kingdom, where, on July 1st, they fought that memorable battle at the Boyne, when King James, who commanded the Irish army in his own person, was entirely defeated, and so driven out of all his dominions.³ I hope Mr Agate will allow this to be resisting of him. I have now by me the form of prayer that was used March 12, 1689, being a public fast day, appointed, "To implore God's blessing in the preservation of his majesty's sacred person, and the prosperity of his arms in Ireland." There is one collect bearing this title, "A Prayer for the King, to be constantly used during his Majesty's Expedition:" In which are these expressions, "Almighty and most gracious God, who hast been pleased to raise up thy servant King William.—Vouchsafe thy gracious presence with him throughout his expedition; cover his head

¹ The Rights, &c. of an Eng. Convocation, &c. edit. 2. p. 392.

² Rights of Convocation, ed. 2d. p. 137. Note, through the printer's error, there be in this book two pages marked 137, at a little distance; my quotation is in the first. ³ History of England, vol. 3. p. 553. &c.—
Orig. Notes.

in the day of battle ; bless him with victory and all good success ; bring him back in safety to our comfort," &c. So that whilst our English soldiers were shooting their musquets, and firing their cannon against King James and his army, all the clergy in England, except the nonjurors, were at the same time begging God to give them victory and success in that very enterprise. If they believed this resistance lawful, then Mr Agate's slavish principles were not the doctrine of the church at that time : If they thought it unlawful, how could they pray to God for its success ? This would be such a scandalous hypocrisy, that I cannot be so uncharitable as to accuse them of it.

Nay, to this very day, God is praised in the church of England, for the successful expedition of the Prince of Orange. Since the year 1692, some additions have been made to the forms of prayer used on the fifth of November ; and in the communion service of that day there is this petition : " We bless thee for giving his late majesty [King William] a safe arrival here, and for making all opposition fall before him, till he became our king and governor." I hope it will not be pretended, that there was opposition without resistance, or that there could be opposition on one part, without any on the other. Mr Agate has told the world in print, that " resistance upon any pretence whatsoever is an accursed principle." And yet this very same gentleman can publicly bless God, for sending over the Prince of Orange to resist King James, and make all opposition fall before him. See ! see here the conscience, honour, and sincerity of a highflier ! And what little reason he has to object occasional conformity to other people ! See here the blessed harmony betwixt the principles and prayers of that faction, which has filled the nation with uproars and tumults !

There is one whimsey more, which Mr Agate made use of on January 30, as well as at other times, to persuade his credulous disciples, that the true sons of the church did not resist King James, and that is, That he voluntarily abdicated the throne. As if he, good man ! were so tired with the weight of a crown, that he was very willing to throw that burden upon his son-in-law : For this is the sense this gentleman would put upon the word abdication. But can any man in his wits believe, that that unfortunate prince was really willing to relinquish three flourishing kingdoms, with a standing revenue of two millions a year, to be a pensioner to the French king, and depend upon a stranger's courtesy for his subsistence ? On the other hand, did he not write letters to the privy-council, to both houses of parliament in England and Scotland ; in all which he manifested his great desire to return, and laid claim to the allegiance of his *quondam* subjects.² But I can hardly think any man so void of reason as to imagine, that King James left his dominions with a full consent of will.

I confess, that it was voted by the convention, That he had abdicated the government : But as the word abdicate was seldom made use of before that time, and it being first introduced by the lower house, 'tis all the reason in the world we should have recourse to them, to understand the meaning of it, and in what sense they took it.

The lords and commons had several conferences about this very word ; the managers for the latter were Mr Somers, at this day lord president of her majesty's most honourable privy-council, and Serjeant Holt, late lord chief justice of the Queen's Bench : Both men of renown and eminence, upon the account of their great abilities. But let us hear the interpretation which they have given : " The word *abdicate* (says the first of these great men) signifies entirely to renounce, throw off, disown, relinquish any thing, whether it be done by words, or in writing, or by doing such acts as are inconsistent with the holding or retaining of the thing ; which the commons take to be the present case."³ Concluding his learned oration in these words : " By avowing to go-

¹ Hist. of K. Will. v. 1. Appen. p. 7.
Orig. Notes.

² More plain Truth, p. 6.

³ Hist. of Eng. vol. 3. p. 511.—

vern by a despotick power, unknown to the constitution, and inconsistent with it, he (King James) hath renounced to be a king according to the law, such a king as he swore to be at the coronation, such a king to whom the allegiance of an English subject is due; and hath set up another kind of dominion, which is to all intents an abdication, or abandoning of his royal title, as fully as if it had been done by express words.¹

To the same purpose the late lord chief justice delivered himself in that famous conference: "If your lordships (says he) mean a voluntary express act, or formal deed of renunciation, I confess I know of none in this case. Your lordships may please to observe, the government and magistracy is under a trust, and any acting contrary to that trust, is a renouncing of the trust, though it be not a renouncing by formal deed; for it is a plain declaration by act and deed, though not in writing, that he who hath the trust, acting contrary, is a disclaimer of the trust. This is so plain, (says he) that I need no more but repeat it, and leave it with your lordships, that the doing an act inconsistent with the being and end of a thing, or that shall not answer the end of that thing, but quite the contrary, that shall be construed an abdication and formal renunciation of that thing."²

This was the interpretation given by the commons, and in this the lords acquiesced. And by this it is evident, that by King James's abdication, the parliament did not mean a voluntary relinquishing, or willing resignation, of his crown, but his taking those courses which were destructive of the very ends of government, and inconsistent with the trust reposed in him as supreme magistrate. And had they intended any thing further by that vote, they had made themselves ridiculous in the eyes of all mankind. And so much for King William.

To him succeeded her present majesty, and that upon the revolution-bottom; who is so far from desiring to make her subjects slaves, that it has been the great design of her triumphant reign to knock off those chains, which the mighty Nimrod on t'other side the water hath been endeavouring to rivet upon his own subjects, as well as on his neighbours. There was scarce any thing made a greater noise in the world, a few years ago, than the insurrection of the protestants in the Cevennes, a mountainous country in the south part of France: Who, being harassed and worn out by the intolerable vexations of the popish clergy and their adherents, took arms, and stood upon their guard against their inhumane bloody persecutors. And being befriended by those difficult and narrow passes, which gave access to their craggy habitations, they defended themselves against the French king's troops with unparalleled bravery, and for some time with astonishing success. If we consult the Annals of Queen Anne, we shall find, that during these commotions, it was resolved by her majesty and council, That since all ways to relieve the Cevennois were shut up by land, the fleet that was to go into the Mediterranean, under the command of Admiral Shovel, should endeavour to carry them a supply of arms, ammunition, and money.³ Accordingly several French refugees were sent into France, to acquaint these poor distressed people with the queen's good intentions. But being for the most part intercepted, they could not deliver their message. Only Mr David Flotard had the good fortune to return safe, after he had staid six whole days among the Cevennois, "and acquainted them with the signals that the English fleet would make, and how they should answer them by signals."⁴ These measures being concerted, there were three French gentlemen sent on board the English fleet, to be witnesses of the queen's good intentions to relieve their brethren. In order hereunto, the admiral detached two men-of-war from the main body, the Pembroke and the Tartar, with a good quantity of arms, ammunition, and money; who entered the gulph of Narbonne, and, approaching as near to the shore as they were able, "they there made the signals, as they were directed from court, un-

¹ Hist. of Eng. vol. 3. p. 512.

² Ibid. p. 102.—*Orig. Notes.*

³ Ibid. 512.

⁴ Annals of Q. Anne, v. 2. p. 11.

der the Lord Nottingham's own hand.¹ But the signals were not answered by the Camisars, for the French court, having intelligence of their design, had taken effectual measures to prevent it.

I hope Mr Agate will allow the noble peer just now mentioned to be a true son of the church; I am therefore very willing to be informed by him, Whether that lord, with the rest of her majesty's council, were guilty of a damning sin, when they did all that possibly they could to abet, support, and aid those very persons, who were then defending themselves against their persecuting monarch and his bloody agents?

In the year 1706, a resolution was taken by the Queen of Great-Britain and the States-general, to distress the common enemy, and attempt the reducing his exorbitant power, by making a descent on the French coasts: To this end a body of fine troops, with a vast quantity of arms and ammunition, were embarked, under the command of the Earl of Rivers: But the fleet lying wind-bound for two months in Torbay, and the winter season advancing, that expedition was laid aside, and the forces otherwise employed. However, we have upon record the manifesto intended to be published by the Earl of Rivers upon his landing on the French coasts; in which are these following expressions:—"We therefore make known by these presents, that the high allies have no manner of purpose to make conquests or commit devastations; but, on the contrary, that they design to employ their forces only for the protection of such of the French nation as shall take up arms, in order to restore the parliaments of the said nation, the nobility and people, to their ancient rights, and make those of the reformed religion enjoy the privileges stipulated by the edict of Nants.—For these reasons we most earnestly exhort all those whose heart is truly French, and wish to see their country delivered from the hard slavery in which it has groaned for so many years past, to improve the opportunity that now offers, by joining themselves with the troops of the high allies."² This manifesto was drawn up by the order of her majesty, with an intent to be published in France, had not the design been disappointed.

Upon this, I would willingly be informed by Mr Agate, what he will pronounce of the queen and her council; and whether he will allow them to be members of the church of England? For certainly, they would never have invited and encouraged the poor protestants in France, and others of that nation, to defend themselves against the violences and cruelties of their grand oppressor, had they looked upon non-resistance in that absolute and unlimited sense, in which 'tis preached up by Mr Agate, to be an indispensable duty. Did they look upon all arms in a subject's hands to be unlawful, besides prayers and tears, when they sent 'em over swords and musquets? If the taking up of arms in defence of their religion and civil liberties be a damning sin, then they that prompt them to, and assist them in it, must be the authors of their ruin, and the causes of their damnation; but will the gentleman draw up so black a charge as this against his sovereign? I never heard that any of our bishops did ever remonstrate to her majesty, that her design to relieve the poor Hugonots in such a manner, was a conspiracy against Christ's laws, and destructive to the souls of men.

Thus have I made good the province I undertook, and demonstrated, that in every reign, the most eminent members of the church of England have, in cases of extreme necessity, allowed subjects to defend their liberties and religion, against the unjust invasions of their own natural princes. In performing of which task, I have only acted the part of an historian. Nor do I think myself obliged to vindicate every matter of fact I have related; only I beg the reader to take notice, that the authors I have produced are of a most established reputation; not like those Grubstreet pamphleteers who have furnished my adversary with so much scandal, and who are ashamed to set

¹ Annals of Q. Anne, p. 104.

² Appendix to the Annals of Q. Anne, vol. 5. p. 72.—*Orig. Notes.*

their names to their own libels. By what I have produced it plainly appears, either that those rigid notions, of which I have been speaking, were not the standing doctrines of true churchmen, or else that they never practised their own doctrine; and Mr Agate shall take his choice.

'Tis insinuated, indeed, by such as have a mind to foment jealousies, and create divisions in the nation, that the whigs and dissenters do embrace republican principles, and would fain reduce the British monarchy to a new-fangled commonwealth. But is there any real ground for such a calumny? Not the least shadow of a reason, as far as I can see. I have proved in a former treatise, that both the English and Scottish presbyterians did earnestly protest against the subversion of the government by Cromwell, and did contribute their good offices to restore the royal family. But we have a fresher instance, which must silence this obloquy, would men but act as becomes reasonable creatures. When King James broke the original contract, and left the kingdom, this question was strenuously debated in the House of Peers, Whether, the throne being vacant, it ought to be filled up by a regent, or a king? If the reader consults the records of the time, he will find those noble peers arguing for a regent, who are at this day looked upon as at the greatest distance from whiggish principles; "And of all the [then] bishops, none but those of London and Bristol were for a king." As for the House of Commons, I find the late Sir Edward Seymour, at the head of those Devonshire gentlemen, who voted for a regent.¹ On the other hand, the low-churchmen and dissenters were unanimous for a king. Yet now see the modesty of our highfliers! That very party which were against filling up the vacant throne with a monarch, will pretend forsooth to be the only friends to monarchy: Whilst those who were hearty and zealous for a king, must be stigmatized by the odious name of republicans, and enemies to the kingly government. This is a mystery I am not able to unriddle; unless it be, that they who have a mind to get themselves in by turning others out, must offer something that is popular, though they know it to be false. So much I am certain of, that I may avouch for all the dissenters of my acquaintance, and believe for all others, that they look upon a mixed monarchy, as ours is, to be the best form of government in the whole world.

'Tis objected further by our passive-obedience men, That the whigs and dissenters pretend a power of calling their sovereign to account for every mismanagement, and to have recourse to arms on every frivolous pretext. But these are principles we do as much detest and abhor as Mr Agate. We count no curses, no execrations too bitter for him who shall involve the nation in blood and confusion, because his ambitious expectations are not gratified, or even because there may be some mistakes in government. We look upon magistrates as God's vicegerents upon earth; and that they ought to be respected and obeyed by us in lawful things. We think nothing but extreme necessity can justify resistance to them. I have been certainly informed, That even Dr Sacheverel's council did acknowledge, at the bar of the lords, That in such cases 'twas lawful for subjects to resist; and that this was the case of the late Revolution. And I know no dissenter that pleads for more than what these learned gentlemen have granted on that head.

What I object to Mr Agate, is, his affirming in the pulpit, "That though a prince should endeavour to bring in popery, he must not be resisted; and that under pain of damnation." By which assertion, he damns the late revolution, and all concerned in it, the queen herself not excepted. By a statute made 1 W. and M. sess. 2. cap. 2. 'tis enacted, "That if any person shall profess the popish religion, or marry a papish, he shall be forever incapable to inherit or enjoy the crown and government of this

¹ Appendix to the Hist. of K. William, vol. 1. p. 21.

realm; and in every such case, the people of these realms shall be, and are hereby, absolved of their allegiance." Thus says the statute. On the other hand, this gentleman pronounces damnation on those that shall resist such a prince. So that we are come to a fine pass, when an act of parliament shall be blown off by the breath of a bold pulpiteer.

The protestant religion is like to be hopefully secured, when those barriers which the wisdom of the nation hath raised to keep out popery, shall be thus overthrown by one seditious blast. The truth on't is, the doctrines which our highfliers preach up, and the tumults which they raise, seem calculated to this very end, even to pave a way for the Pretender, with all the blessed appurtenances of French politicks and religion, to make his triumphant entrance into these kingdoms.

Though my business be only to give an historical relation of the matters of fact, yet, lest Mr Agate should complain that I have taken no notice of his argument, it may not be amiss to make a few reflections on that text, on which he builds his harsh ill-favoured doctrine, viz. Rom. xiii. 2. "Whosoever resisteth the power, resisteth the ordinance of God; and they that resist shall receive to themselves damnation."

On which I would crave leave to remark,

1. The Greek word *ἐξουσία*, which in this chapter is translated power, most properly and commonly signifies lawful authority; to resist which, I account a damnable sin as well as Mr Agate. But the question is, Whether this condemns all resistance upon any pretence whatsoever? 'Tis doubtless a sin to oppose the mayor of a corporation in the legal execution of his office; but should this person fall a-cutting of throats, firing of houses, and ravishing of wives, no man doubts but in such cases he may be resisted. And this would be no resistance to that authority of which St Paul speaks, because he has really no authority to play such mad pranks as these are. So when the nation opposed King James in his attempt to bring in popery, they did not resist St Paul's lawful powers or authority, because he had no authority to destroy God's true religion to erect idolatry and superstition on the ruins of it.

2. If this text forbids resistance to the powers in being upon any pretence whatsoever, it renders it unlawful to resist an usurper, as well as a lawful prince; which may be thus demonstrated: 'Tis agreed on by the great patrons of passive obedience, that this epistle was written by St Paul to the Romans during the reign of Nero; and they strengthen their argument by this consideration, That submission was enjoined by the apostle to such an inhuman bloody tyrant. As for this monster's pedigree, he was the son of Ænobarbus and Agrippina. His father dying when he was young, his mother had charms enough to engage the affections of the emperor Claudius, who married this widow: But in a little time was poisoned by the contrivances of his wife and son-in-law.¹ The emperor being dead, the crown of right should have descended on Britannicus, his son, who was then but a lad.² But Agrippina had another game to play, and so cajoled the officers of the army, that they passed by their dead master's heir, and made her son emperor.³ So that Nero got the empire by treason, bribery, and murder. I would therefore demand of Mr Agate, Whether the Romans might have lawfully opposed Nero in defence of the right heir? If they might, then resistance upon any pretence whatsoever was not forbidden by St Paul in this text: If they might not, then successful usurpation gives a man a good title: And those gentlemen who resisted Oliver Cromwell, (who got the government, as Nero did, by the assistance of his soldiers, and used it much better) instead of being martyrs for loyalty, will deserve a quite contrary character.

3. Let us compare St Paul with our Saviour, who lays his command upon us, Matt.

¹ Vid. Sueton in Vit. Ner. cap. 33.

² Vid. Corn. Taciti Annal. l. 12.

³ Ibid.—Orig. Notes.

v. 39. "I say unto you, that you resist not evil." By which we are not to understand an evil thing, for that must be resisted, but an evil person, τῷ πονηρῷ. This prohibition is expressed in as absolute and unlimited terms as that of the apostle: I demand therefore of Mr Agate, Whether such evil men as robbers and rebels may not be resisted? I presume he will answer me, That there is an exception or limitation implied, though not expressed. But then why may not the words of St Paul be taken in a limited sense, as well as those of our Saviour? Why may not a nation defend its constitution against a publick tyrant, as well as a particular man his purse against a private robber? the one (for aught any thing appears in the text) being as much forbidden by Christ as the other by St Paul. Nor does it any more follow, that a just prince must be unsafe in the throne, because a tyrant may be opposed, than that an honest man may not safely travel our roads, because an assassin or robber may be knocked on the head by any man that meets him, when in his own defence.

But it not being my present business to argue, I shall only add, that I think it a very heinous crime to despise dominion and speak evil of dignities, and much more to raise tumults and rebellions, to gratify men's ambition or revenge, or even to redress tolerable grievances. Upon the whole, as Mr Agate's seditious doctrine on the 30th of January, in which he denounced damnation against such as should resist a prince endeavouring to bring in popery, gave birth to this little treatise, so I only think myself obliged to maintain the contrary position, that, in cases of extreme necessity, people may defend their religion and liberty: In this I shall be countenanced by the law of the land, the constant practice of the church of England, without being contradicted by reason or scripture.

The Original of Bishops and Metropolitans, briefly laid down by James Archbishop of Armagh. Printed 1703.

The learned Usher, Archbishop of Armagh, wrote several pieces in defence of episcopacy. These were, 1. The Judgment of Dr Reynolds concerning the Original of Bishops, or a Chorographical and Historical Disquisition touching the Lydian or Proconsular Asia, and the seven Metropolitans contained therein. The design of this treatise is to prove, from Acts xix. 17, supported by Rev. ii. 1, and confirmed by ecclesiastical history, that bishops and metropolitans were instituted by the apostles; meaning only with regard to their superiority in degree; for he did not hold episcopacy to be a superior order to presbytery. These tracts were printed, with others upon the same subject, under the following title: "Certain brief Treatises, written by diverse learned Men, concerning the ancient and moderate Government of the Church, wherein both the primitive Institution of Episcopacy is maintained, and the Lawfulness of the Ordination of Protestant Ministers beyond the Seas likewise defended." Oxford, 1641, 4to. Some of his grace's arguments in this learned tract have been generally thought too high-strained even by the most orthodox high-church divines.

To the Reader.

OUR presbyterian brethren do frequently pretend a greater veneration for Archbishop Usher, than for most of those, who, in these latter days, have borne the episcopal character. They are not unwilling to allow that he was a person not only learned, but grave,

pious, and moderate. 'Tis hoped therefore, that it shall not be disobliging to them if this short, but accurate treatise of his (which very well deserves seriously to be considered) shall be again offered to their consideration. His citations from scripture and antiquity, after the strictest examination, will be found just and genuine; and his reasonings from them clear and natural. This edition indeed in one thing is defective and short of former editions. It has not on the margin the citations in their original language; the reason is, the difficulty of printing so much Greek. This defect, 'tis hoped, shall be the more easily pardoned, when the reader is told, that the places, where such as are inclined to consult the originals may find the citations, are faithfully marked at the foot of every page. There is also subjoined, the learned and acute Mr Chillingworth's demonstration of the apostolical institution of episcopacy. These two treatises, as short as they are, seem to have so much evidence in them, as may make it seem reasonable, if not to grant a toleration to those of the episcopal persuasion, yet to pity them, if they are refused it.

The ground of episcopacy is derived partly from the pattern prescribed by God in the Old Testament, and partly from the imitation thereof brought in by the apostles, and confirmed by Christ himself in the time of the New. The government of the church of the Old Testament was committed to the priests and Levites, unto whom the ministers of the New do now succeed; in like sort as our Lord's-day hath done unto their sabbath, that it might be fulfilled which was spoken by the prophet, touching the vocation of the Gentiles, "I will take of them for priests and for Levites saith the Lord."

That the priests were superior to the Levites, no man doubteth; and that there was not a parity, either betwixt the priests or betwixt the Levites themselves, is manifest by the word of God; wherein mention is made of the heads and rulers both of the one and of the other, 1 Chron. xxiv. 6. 31. and Ezra viii. 29.

The Levites were distributed into the three families of the Gershonites, Cohathites, and Merarites: And over each of them God appointed one archon or ruler, Num. iii. 24, 30, 35. The priests were divided by David into four-and-twenty courses; 1 Chron. xxiv. Who likewise had their heads: Who in the history of the New Testament are ordinarily called ² archiereis or chief of the priests; and clearly distinguished from that singular one, who was the type of our great high priest, that is passed into the Heavens, Jesus the Son of God.³ Yea in the xi. of Nehemy we find two named bishops, the one of the priests, the other of the Levites, that dwelt in Jerusalem. The former so expressly termed by the Greek in the 14th, the latter both by the Greek and Latin interpreter in the 22d verse, and not without approbation of the scripture itself, which rendereth the ⁴ Hebrew word of the same original in the Old, by the ⁵ Greek episcopo in the New Testament.

Of Levi it was said by Moses the man of God, ⁶ "They shall teach Jacob thy judgments, and Israel thy law; they shall put incense before thee, and whole burnt sacrifice upon thine altar." Because this latter part of their office hath ceased with them, and the Levitical altar (the truth prefigured thereby being exhibited) is quite taken away: May not we therefore conclude out of the former part (which hath no such typical relation in it) that our bishops and presbyters should be (as the apostle would have them to be) ⁷ didactikoi apt to teach, ⁸ able by sound doctrine, both to exhort and to convince the gainsayers? Nay, and out of the latter part itself, where God had appointed that ⁹ "The priests, the Levites, and all the tribe of Levi, should eat the of-

¹ Esa. lxvi. 21.

² Matth. ii. 4. and 27. Act. xix. 14.

³ Act. x. 20.

⁴ Deut. xxxiii. 10.

⁵ 1 Tim. iii. 2.

⁶ Tit. i. 9.

⁷ Heb. iv. 14.

⁸ Psal. cix. 8.

⁹ Deut. xxviii. 1.—*Orig. Notes.*

ferings of the Lord made by fire;" doth not the apostle from just analogy infer from thence, that for as much as¹ "They which waited at the altar, were partakers with the altar; even so had the Lord ordained, that they which preached the gospel, should live of the gospel."

With what shew of reason then can any man imagine, that what was instituted by God in the law, for mere matter of government, and preservation of good order (without all respect of type or ceremony) should now be rejected in the gospel, as a device of Antichrist? That what was by the Lord once,² "planted a noble vine, wholly a right seed, should now be so turned into the degenerate plant of a strange vine," that no purging or pruning of it will serve the turn, but it must be cut down root and branch, as³ "a plant which our Heavenly Father had never planted?" But nothing being so familiar now a days, as to father upon Antichrist whatsoever in church matters we do not find to suit with our own humours, the safest way will be, to consult with Christ himself herein, and hear what he delivereth in the cause.

"These things, saith he, that hath the seven stars," Revel. iii. 1. he owneth then, we see, these stars; whatsoever they be. And the mystery of them he thus further openeth unto his beloved disciple. "The seven stars which thou sawest in my right hand, are the angels of the seven churches," Revel. i. 10. From which words a learned man, very much devoted to the now-so-highly-admired discipline, deduceth this conclusion.⁴ "How great therefore is the dignity of true pastors, who are both stars, fixed in no other firmament than in the right hand of Christ; and angels."

He had considered well, that in the church of Ephesus (one of the seven here pointed at) there were many⁵ presbyters, whom the Holy Ghost had made bishops and overseers over all that flock to feed the church of God, which he had purchased with his own blood. And withal he saw, that by admitting one angel there above the rest (all as well⁶ extraordinary prophets, as⁷ ordinary pastors being in their own several stations accounted angels or messengers of the Lord of Hosts) he should be forced also to acknowledge the eminency of one bishop above the other bishops (that name being in those days⁸ common to all the presbyters,) and to yield withal that such a one was to be esteemed as a star fixed in no other firmament than in the right hand of Christ.

To salve this, therefore, all the stars in every church must be presupposed to be of one magnitude, and though those stars which typified these angels are said to be but seven, yet the angels themselves must be maintained to be far more in number: And in fine, where our Saviour saith⁹ "unto the angel of the church of Ephesus write," it must by no means be admitted, that¹⁰ any one angel should be meant hereby, but the whole college of pastors rather. And all upon a pretence of a poor shew of some shallow reasons, that there "was not one angel of Ephesus, but many, and among them not any principal."

Which wresting of the plain words of our Saviour is so extreme violent, that M. Beza (though every way as zealously affected to the advancement of the new discipline as was the other) could by no means digest it: But ingenuously acknowledgeth the meaning of our Lord's direction to have been thus,¹¹ "to the angel, that is, to the president, as whom it behoved specially to be admonished touching those matters; and by him both the rest of his colleagues, and the whole church likewise." And that there was then a standing president over the rest of the pastors of Ephesus, and he the very same (as learned¹² Dr Reynolds addeth) with him whom afterwards the fathers called bishop may further be manifest, not only by the succession of the first bishops of that church, but also by the clear testimony of Ignatius: Who (within no greater compass

¹ 1 Cor. ix. 13, 14.

² Jerem. ii. 2.

³ Matth. xv. 13.

⁴ Brightman in Apocalyps. i. 20.

⁵ Act. xx. 17, 28.

⁶ Judg. ii. 1. Hag. i. 13.

⁷ Matth. xi. 18.

⁸ Malach. ii. 7.

⁹ Philip. i. 1.

¹⁰ 1 Tim. i. 2. Tit. i. 5, 7.

¹¹ Revel. ii. 1.

¹² Brightman in Apocalyps. ii. 1.

¹³ Beza in

Apocalyps. i. 2.

¹⁴ Conference with Hart, c. 8. divis. 3.—*Orig. Notes.*

of time than twelve years afterwards) distinguisheth the singular and constant president thereof, from the rest of the number of the presbyters, by appropriating the name of bishop unto him.

As for the former, we find it openly declared in the general council of Chalcedon, by Leontius Bishop of Magnesia, that¹ from Timothy (and so from the days of the apostles) there had been a continued succession of seven-and-twenty bishops; all of them ordained in Ephesus: Of which number the angel of the church of Ephesus, mentioned in the Revelation, must needs be one: Whether it were Timothy himself, as² some conceive, or one of his next successors, as others rather do imagine.

For that Timothy had been some time³ the Proestoos (which is the appellation that⁴ Justin Martyr, in his second Apology for Christians, and⁵ Dionysius of Corinth, not long after him, in his Epistle to the Church of Athens, and⁶ Marcellus Bishop of Ancyra, in his Letters to Julius Bishop of Rome, do give unto a bishop) or Antistes, or president of the Ephesine presbytery, is confessed by Beza himself: And that he was ordained the first bishop of the church of the Ephesians, we do not only read in the subscription of the Second Epistle to Timothy, and the Ecclesiastical History of⁷ Eusebius, but also in two ancient treatises concerning the martyrdom of Timothy; the one nameless in the library of⁸ Photius; the other bearing the name of⁹ Polycrates, even of that Polycrates who was not only himself bishop of this church of Ephesus, but born also within six or seven and thirty years after St John wrote the forenamed epistle unto the angel of that church, as it appeareth by the years he was of when he wrote that epistle unto Victor Bishop of Rome, wherein he maketh mention of¹⁰ seven kinsmen of his who had been bishops; he himself being the eighth.

I come now to the testimony of Ignatius, whom¹¹ Theodoret, and¹² Felix Bishop of Rome, and¹³ John the chronographer of Antioch, report to have been ordained Bishop of Antioch by St Peter in special, Chrysostom (who was a presbyter of the same church) by¹⁴ the apostles in general; and without all controversy did sit in that see, the very same time wherein that epistle unto "The Angel of the Church of Ephesus" was commanded to be written.

In the Isle of Patmos had St John his Revelation manifested unto him,¹⁵ toward the end of the empire of Domitian, as Ireneus testifieth; or the fourteenth year of his government, as¹⁶ Eusebius and Hierom specify it. From thence there are but twelve years reckoned unto the tenth of Trajan; wherein Ignatius, in that last journey which he made for the consummation of his glorious martyrdom at Rome, wrote another epistle unto the self-same church of Ephesus, in which he maketh mention of their then Bishop Onesimus, as it appears both by¹⁷ Eusebius citing this out of it, and by the epistle itself yet extant.

In this Epistle to the Ephesians, Ignatius having acknowledged that their¹⁸ numerous multitude was received by him in the person of their Bishop Onesimus, and¹⁹ blessed God for granting unto them such a bishop as he was, doth afterwards put them in mind of their²⁰ duty in concurring with him, as he sheweth their worthy presbytery did, being²¹ so conjoined (as he saith) with their bishop, as the strings are with the

¹ Council Chalcedon, Act. xi. ² Vid. Peter in Apocalyps. cap. 2. Disp. Alcala. Proteim. in cap. ii. 3. Apocal. Notat. 1. et Petr. Halloix Notat. invit. Polycarp, cap. 7. ³ Beza Annotat. in 1 Tim. v. 19.

⁴ Phil. i. 1. ⁵ Euseb. lib. 4. cap. 23.

⁶ Marcell. Ancyran. apud Epiphanius, Hæres. 72.

⁷ Euseb. Hist. lib. 3. cap. 4.

⁸ Phot. Biblioth. num. 254.

⁹ Polycrat. de martyrio Timothei

inter vitas sanctorum, edit. Lovanii, anno 1485.

¹⁰ Polycrat. Epist. ad Victorem, apud Euseb. Hist. l. 5.

cap. 21. ¹¹ Theodoret in Dialog. 1.

¹² Felix III. in Epist. ad Zenonem Imp. in 5. Synodo Constantinopole.

Act. 1. tom. 2. Concilior. p. 220. edit. Binnii, anno 1606.

¹³ Johan. Melela, Antiochenus

Chronic. lib. 16. M. S. H. ¹⁴ Joh. Chrysost. in Ignatii Encomio.

¹⁵ Iren. advers. Hæres. lib. 5. cap.

30. ¹⁶ Euseb. Chron. Hier. Catal. scriptor. Ecclesiast. in Johanne.

¹⁷ Euseb. Hist. lib. 3. cap. 31.

¹⁸ Ignat. Epist. ad Ephes.

¹⁹ Ibid.

²⁰ Ibid.

²¹ Ibid.—Orig. Notes.

harp : And toward the end exhorteth them to ' obey both the bishop and the presbytery with an undivided mind.

In the same journey wrote Ignatius also an Epistle unto the Church of Smyrna, another of the seven, unto whom those letters are directed in St John's Revelation, wherein he also ² saluteth their bishop and presbytery ; exhorting all the people to ³ follow their bishop, as Christ Jesus did his Father, and the presbytery, as the apostles : And telling them that ⁴ no man ought to administer the sacraments, or do any thing appertaining to the church, without the consent of the bishop.

Who this bishop, and what the presbytery was, appeareth by another epistle written a little after from Smyrna, by ⁵ Polycarpus and the presbyters that were with him, unto the Philippians. And that the same Polycarpus was then also bishop there, when St John wrote unto the angel of the church of Smyrna, who can better inform us than Irenæus, who did not only know these worthy men, ⁶ who succeeded Polycarpus in his see, but also ⁷ was present, when he himself did discourse of his conversation with St John, and of those things which he heard from those who had seen our Lord Jesus?

Polycarpus ⁸ saith he, was not only taught by the apostles, and conversed with many of these that had seen Christ, but also was by the apostles constituted in Asia bishop of the church which is in Smyrna ; whom we ourselves also did see in our younger age, for he continued long : And being very aged, he most gloriously and nobly suffering martyrdom, departed this life.

Now, being ordained bishop of Smyrna by the apostles, who had finished their course, and departed out of this life, before St John (the last survivor of them) did write his Revelation, who but he could there be meant by the angel of the church in Smyrna ? In which that he still held his episcopal office unto the time of his martyrdom (which fell out LXXIV. years afterward) may sufficiently appear by this testimony, which the brethren of the church of Smyrna, who were present at his suffering, gave unto him. ⁹ " He was the most admirable man in our times, an apostolical and prophetic doctor and bishop of the catholic church which is in Smyrna." Whereunto we may add the like of Polycrates bishop of Ephesus, who lived also in his time, and in his neighbourhood, affirming ¹⁰ Polycarpus to have been both bishop and martyr in Smyrna. So saith he in his synodical epistle directed unto Victor, Bishop of Rome, about 27 years after the martyrdom of Polycarpus ; he himself being at that time 65 years of age.

About the very same time wherein Polycrates wrote this epistle unto Victor, did Tertullian publish his book of prescriptions against hereticks ; wherein he avoucheth against them that ¹¹ as the church of Smyrna had Polycarpus placed there by John, and the church of Rome Clement ordained by Peter ; so the rest of the churches also did shew what bishops they had received by the appointment of the apostles, to traduce the apostolical seed unto them. And so before him did Irenæus urge against them ¹² the succession of bishops, unto whom the apostles committed the charge of the church in every place ; ¹³ for all the hereticks (saith he) are much later than those bishops, unto whom the apostles committed the churches. And ¹⁴ we are able to number those who by the apostles were ordained bishops in the churches, and their successors unto our days ; who neither taught nor knew any such thing as these men dream of.

¹ Ignat. Epist. ad Ephes. Epist. ad Philipens.

² Id. in Epist. ad Smyrn.

³ Ibid.

⁴ Ibid.

⁵ Polycarp.

⁶ Iren. advers. Hæres. lib. 3. cap. 3.

⁷ Id. in Epist. ad Florinum : [apud

Euseb. lib. 5.] & ad Victorem, ibid.

⁸ Iren. lib. 3. cap. 3. Vid. & Euseb. lib. 3. Hist.

⁹ Smyr-

nens, Eccles. Epist. de Martyrio Polycarpi, Euseb. lib. 4. Hist. cap. 16.

¹⁰ Polycrat. Epist. ad Victo-

rem : apud Euseb. lib. 5. Hist.

¹¹ Tertul. de Prescript. cap. 32. vid. et ejusd. lib. 4. contra Marcion, cap. 5.

¹² Iren. lib. 4. advers. Heres. cap. 63.

¹³ Id. lib. 5. cap. 20.

¹⁴ Id. lib. 3. cap. 3.—*Orig. Notes.*

For proof whereof, he bringeth in the succession of the bishops of Rome, from ² Linus (unto whom the blessed apostles committed that episcopacy) and Anacletus (by others called Cletus) and Clement (who did both see the apostles, and conferred with them) unto ³ Eleutherius, who, when Irenæus wrote, had the charge of the bishopric in the twelfth place after the apostles. Concerning whom, and the integrity which then continued in each other succession from the apostles days, Hegesippus, who at the same time published his history of the church, saith thus, ⁴ "Soter succeeded Anicetus, and after him was Eleutherius. Now, in every succession, and in every city, all things so stand, as the law and the prophets, and our Lord do preach."

And more particularly concerning the church of Corinth, ⁵ after he had spoken of the epistle written unto them by Clement, for the repressing of some factions wherewith they were at that time much troubled (which gave him occasion to tell them, that ⁶ the apostles, of whom he himself was an hearer, had perfect intelligence from our Lord Jesus Christ of the contention that should arise about the name of episcopacy) he declareth, that after the appeasing of this tumult ⁷ the church of the Corinthians continued in the right way, until the days of Primus, whom he did visit in his sailing towards Rome. Which Primus had for his successor that famous Dionysius, whose epistle to the church of the Athenians hath been before nominated; wherein he put them in mind of ⁸ the first bishop that had been placed over them, even Dionysius the Areopagite, ⁹ St Paul's own convert, a thing whereof they could at that time have no more cause to doubt, than we should have, if any question were now made of the bishops that were here in King Edward the VI. or Queen Mary's days: I might also say, in the middle of the reign of Queen Elizabeth herself; if, with ¹⁰ Baronius, I would produce the Areopagite's life unto the government of the emperor Hadrian.

This Hegesippus, living next after the first succession of the apostles (as ¹¹ Eusebius noteth) and being himself a Christian ¹² of the race of the Hebrews, was careful to record unto posterity the state of the church of Jerusalem, in the days of the apostles, and the alteration that followed after their departure out of this life. Where first he sheweth, ¹³ that James the brother of our Lord, surnamed the Just, did govern that church, together with the apostles; yet so (as by Clement of Alexandria, who wrote some twenty years ¹⁴ after him, further addeth) that he had this preferment even before the three prime apostles, Peter and the two sons of Zebedee (James and John) to be chosen the peculiar bishop of Jerusalem, the then mother church of the world.

After the death of James the Just, ¹⁵ Hegesippus declareth that Simeon, the son of Clophas or Cleophas, was constituted bishop, and so continued until the days of the Emperor Trajan; under whom he suffered a glorious martyrdom (about the same time that Ignatius did) being then an hundred and twenty years of age; and by that account born before the incarnation of our blessed Saviour. Where the observation of this prime historian is not to be passed over: That ¹⁶ until those times the church was called a virgin, as being not yet corrupted with the overspreading of heretical doctrine. For howsoever heresies did spring up before, yet they were so kept down by the authority of the apostles and the disciples who had heard our Lord himself preach, that the authors and fautors thereof were not able to get any great head, being forced [by the authority of such opposites] to lurk in obscurity.

But as soon as all that generation was gathered unto their fathers, and none of those were left who had the happiness to hear the gracious words that proceeded from the

² Iren. lib. 3. cap. 3.

³ Ibid.

⁴ Hegesip. apud Euseb. lib. 4. Hist. cap. 22.

⁵ Eu-

seb. lib. 4. Histor. cum lib. 3.

⁶ Clemen. Epist. ad Corinth. pag. 57. Edit. D. Patricii Junii.

⁷ He-

gesip. apud Euseb. lib. 4.

⁸ Dionys. Corinth. apud eund. Euseb. lib. 3. et lib. 4.

⁹ Act. 17.

¹⁰ Baron. Annal. tom. 2. ann. 120.

¹¹ Euseb. lib. 2.

¹² Euseb. lib. 4. fin.

¹³ Hegesip. Comentarior. lib. 5. apud eund. Euseb. lib. 2. cap. 23.

¹⁴ Clemen. in libro sexto Hypoty-

poscon; ubi Narrat. apud eund. l. 2. cap. 1.

¹⁵ Apud Euseb. lib. 4. 22. Vid. eund. lib. 3. cap. 3. 11. et

32.

¹⁶ Hegesip. apud eund. lib. 3. cap. 32.—*Orig. Notes.*

Lord's own mouth : The hereticks taking that advantage, began to enter into a kind of combination, and with open face publickly to maintain the¹ opposition of their science falsely so called [from whence they assumed unto themselves the name of Gnosticks, or men of knowledge] against the preaching of that truth which by those who were² eye-witnesses and ministers of the word had been³ once delivered unto the saints.⁴ The first beginner of which conspiracy was one Thebuthis, who had at the first been bred in one of the seven sects into which the people of the Jews were in those days divided ; but afterwards, because he missed of a bishoprick unto which he had aspired, [this of Jerusalem, as it may seem ; whereunto Justus, after the death of Simeon, was preferred before him] could think of no readier a way throughly to revenge himself of this disgrace, than by raising up the like distractions among the Christians. Which as, in the effect, it shewed the malignity of that ambitious sectary, so doth it, in the occasion, discover withal the great esteem that in those early days was had of episcopacy.

When Hegesippus wrote this Ecclesiastical History (the ancientest of any since the Acts of the Apostles) Eleutherius, as we heard before, was bishop of the church of Rome ; unto whom⁵ Lucius King of the Britons (as our Bede relateth) sent an epistle ; desiring that by his means he might be made Christian, who presently obtained the effect of his pious request ; and the Britons kept the faith then received, sound and undefiled in quiet peace, until the times of Dioclesian the emperor, by whose bloody persecution the faith and discipline of our British churches was not yet so quite extinguished, but that within ten years after (and eleven before the first general council of Nice) three of our bishops were present, and subscribed unto the council of Arles,⁶ Eborius of York, Restitutus of London, and Adelfius of Colchester ; if that be it which is called there *Colonia Lodinensium*. The first root of whose succession we must fetch beyond Eleutherius, and as high as St Peter himself, if it be true, that he⁷ constituted churches here, and ordained bishops, presbyters, and deacons in them, as Simeon Metaphrastes relateth out of some part of⁸ Eusebius (as it seemeth) that is not come unto our hands.

But to return unto the Angels of the Seven Churches, mentioned in the Revelation of St John : By what hath been said it is apparent, that seven singular bishops, who were the constant presidents over those churches, are pointed at under that name. For other sure they could not be, if all of them were cast into one mould, and were in the same quality with Polycarpus, the then Angel of the Church of Smyrna : Who without all question was such, if any credit may be given herein unto those that saw him, and were well acquainted with him.

And as Tertullian in express terms affirmeth him to have been placed there by St John himself, in the testimony before alledged out of his⁹ Prescriptions ; so doth he elsewhere from the order of the succeeding bishops, not obscurely intimate, that the rest of that number were to be referred unto the same descent. ¹⁰ " We have," saith he, " the churches that were bred by John. For although Marcion do reject his Revelation, yet the order of the bishops reckoned up unto their original, will stand for John to be their founder."

Neither doth the ancient writer of the martyrdom of Timothy, mentioned by Photius, mean any other by those seven bishops, whose assistance he saith St John did use, after his return from Patmos, in the government of the metropolis of the Ephesians. For ¹¹ " being revoked from his exile," saith he, " by the sentence of Nerva, he betook

¹ 1 Tim. vi. 20.² Luk. i. 2.³ Jud. ver. 3.⁴ Hegesip. apud Euseb. lib. 4. cap. 22.⁵ Bed. Hist. Ecclesiast. Anglor. lib. 1. cap. 4.⁶ Tom. 1. Concilior. Galliae, a Sirmondo edit. p. 9.⁷ Metaphrast. Commentor. de Petro et Paulo ; ad diem 29. Junii.⁸ Ibid.⁹ Tertul. Prescripto.¹⁰ c. 32. Similiter et Hieronymus in Catal. Scrip. Ecclesiast. cap. 17. in Polycarpo ; et Nicephorus, lib. 3. Hist. Ecclesiast. cap. 2.¹¹ Tertul. advers. Marcion. lib. 4. c. 5.¹² Phot. Bibliothec. num. 254.—

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himself to the metropolis of Ephesus; and being assisted with the presence of seven bishops, he took upon him the government of the metropolis of the Ephesians, and continued preaching the word of piety, until the empire of Trajan.

That he remained with the Ephesians and the rest of the brethren of Asia, until the days of Trajan, and that during the time of his abode with them, he published his gospel, is sufficiently witnessed by ¹ Irenæus. That upon his return from the island after the death of Domitian, he applied himself to the government of the churches of Asia, is confirmed likewise both by ² Eusebius, and by ³ Hierom; who further addeth, that ⁴ at the earnest entreaty of the bishops of Asia he wrote there his gospel.

And that he himself also, being free from his banishment, did ordain bishops in diverse churches, is clearly testified by Clement of Alexandria, who lived in the next age after, and delivereth it as a certain truth, which he had received from those who went before him; and could not be far from the time wherein the thing itself was acted. When St John, saith he, Domitian the tyrant being dead, removed from the island of Patmos unto Ephesus, by the entreaty of some he went also unto the neighbouring nations; in some places constituting bishops, in others founding whole churches.

Among these neighbouring churches was that of Hierapolis; which had Papias placed ⁵ bishop therein. That this man was ⁶ a hearer of St John, and a companion of Polycarpus, is testified by his own scholar ⁷ Irenæus, and that he conversed with the ⁸ disciples of the apostles, and of Christ also, he himself doth thus declare, in the proeme of the five books which he entituled, "A Declaration of the Words of the Lord."

"If any upon occasion of the presbyters, who had accompanied the apostles, did come, I diligently enquired what were the speeches which the apostles used, what Andrew, or what Peter did say, or what Phillip, or Thomas, or James, or John, or Matthew, or some other of the disciples of the Lord, and the things that Aristion and John the Elder, our Lord's disciples, did speak." The two last of whom he often cited by name in the process of the work; relating the passages in this kind which he had heard from them.

Neither can any man be so simple as to imagine, that in the language of Clemens Alexandrinus the name of a bishop should import no more than a bare presbyter: If he consider, that not the ⁹ difference only betwixt presbyters, bishops, and deacons, is by him acknowledged; but further also, that the disposition of their three offices in his judgment, doth carry with it ¹⁰ an imitation of the angelical glory. To say nothing of the emperor Hadrian; who, hard upon the time of the forenamed Papias, writing unto the consul Servianus, touching the state of things in Ægypt, maketh distinct mention in his letter of ¹¹ the presbyters of the Christians, and of those ¹² who call themselves the Bishops of Christ.

And thus having deduced episcopacy from the apostolical times, and declared, that the angels of the seven churches were no other, but such as in the next age after the apostles were by the fathers termed Bishops, we are now further to enquire, why these churches are confined unto the number of seven, in the superscription of that apostolical epistle prefixed before the book of the Revelations; ¹³ "John, to the seven churches in Asia: Grace be unto you and peace." Where St John, directing his let-

¹ Irenæus advers. Hæres. 2. cap. 39. Item. lib. 3. c. 1. et 3.

² Euseb. lib. 3. Hist. cap. 23.

³ Hieronym. in Catal. script. Eccles. c. 9.

⁴ Id. Ibid. et Præfat. in Evangel. Matthei.

⁵ Tom. 3.

Commentariorum Michaelis Ghislerii, Euseb. Hist. lib. 3. cap. 23.

⁶ Euseb. lib. 3. Hist. cap. 35. Hieron. Catal. script. Ecclesiast. cap. 18. et Chroni ad ann. Trajani 2.

⁷ Irenæus advers. Hæres. lib. 5.

c. 38. ⁸ Hieronym. Epist. 29. ad Theodorum.

⁹ Irenæus, lib. 5. cap. 36. meminit.

¹⁰ Apud

Euseb. lib. 3. Hist.

¹¹ Euseb. ibid.

¹² Clem. Alex. Pædagog. lib. 3. cap. ult.

¹³ Id.

Stromat. lib. 6.

¹⁴ Nemo Christianorum Presbyter. Hadrian Epist. ad Servian. apud Pl. Vopisc. in

Vita Saturnini.

¹⁵ Qui se Christi Episcopos dicunt. ibid.

¹⁶ Rev. i. 4.

ters unto them thus indefinitely, without any mention of their particular names, cannot by common intendment be conceived to have understood any other thereby, but such as by some degree of eminency were distinguishable from all the rest of the churches that were in Asia; and, in some sort, also did comprehend all the rest under them.

For taking Asia here in that stricter sense, wherein the New Testament useth it, as denoting the Lydian Asia alone [of the circuit whereof I have treated elsewhere more particularly] it is not to be imagined, that after so long pains taken by the apostles and their disciples in the husbanding of that part of the Lord's vineyard, there should be found no more but seven churches therein; especially since St Paul, that wise master builder, professeth, that he had here ³ "a great door and effectual opened unto him:" And St Luke testifieth accordingly, that ⁴ "all they which dwelt in Asia heard the word of the Lord Jesus, both Jews and Greeks; so mightily grew the word of God, and prevailed." Which extraordinary blessing of God upon his labours moved the apostle to make his residence ⁵ in those parts for the space of three years; wherein he ceased not to warn every one night and day with tears.

So that in all reason we are to suppose, that these seven churches (comprising all the rest within them) were not bare parochial ones, or so many particular congregations, but diocesan churches (as we use to call them) if not metropolitan rather. For that in ⁶ Laodicea, Sardis, Smyrna, Ephesus, and ⁷ Pergamus, the Roman governors held their courts of justice, to which all the cities and towns about had recourse for the ending of their suits, is noted by Pliny. And besides these (which were the greatest) Thyatira is also by ⁸ Ptolemy expressly named a metropolis: As Philadelphia also is, in the ⁹ Greek acts of the council of Constantinople, held under Menas: Which giveth us good ground to conceive, that the seven cities, in which the seven churches had their seat, were all of them metropolitan, and so had relation unto the rest of the towns and cities of Asia, as unto daughters rising under them.

This Lydian Asia was separated from Caria by the river Meander; upon the banks whereof Magnesia and Trallis were seated, to the Christians whereof Ignatius directed two of his epistles; wherein he maketh mention of Damas bishop of the one church, and Polybius bishop [or ¹⁰ ruler, as Eusebius calleth him] of the other, whom they had sent to visit him at Smyrna; adding withal in that to the Trallians his usual admonitions, ¹¹ "Be subject to the bishop as to the Lord: And ¹² to the presbytery, as to the apostles of Jesus Christ our hope. ¹³ He that doth any thing without the bishop and the presbyters and the deacons, such an one is defiled in conscience. ¹⁴ Fare ye well in Jesus Christ; being subject to the bishop, and likewise to the presbyters."

Wherein we may note, that within twelve years after mention of the seven churches made in the Apocalypse (for then, as hath been shewed, were these epistles of Ignatius written) other episcopal cities are found in the same Lydian Asia, and two such, as in after times are well known to have been ¹⁵ under the government of the metropolitan of Ephesus. But whether this subordination were as ancient as the days of Ignatius (whose epistles are extant unto these three churches) and ¹⁶ Damas, the then bishop of Magnesia, with Polybius of Trallis, were at that time subject to Onesimus the Bishop of Ephesus, might well be doubted; but that the same Ignatius directeth one of his epistles unto the church ¹⁷ which had precedency in the place of the region of the

¹ Disquisit. touching the Asia properly so called, &c. cap. 2. ² 1 Cor. iii. 10. ³ 1 Cor. xvi. 8, 9.

⁴ Act. xix. 19, 20. ⁵ Act. xx. 18, 31. ⁶ Plin. Nat. Hist. lib. 5. cap. 29. ⁷ Ibid. cap. 30.

⁸ Ptolem. Geog. lib. 5. ⁹ Concil. Constantin. sub Mena, Act. 5. ¹⁰ Euseb. Hist. lib. 3. cap. 35. ¹¹ Ignat. epist. ad Trallian. ¹² Ibid. ¹³ Ibid. ¹⁴ Ibid.

¹⁵ Ordo Metropolit. in Append. Geograph. sacr. Caroli a S. Paulo, p. 11. et in Tom. 1. Juris Græco Roman. a Jo. Leunclavio edit. p. 90. ¹⁶ Euseb. Hist. lib. 3. cap. 35. ¹⁷ Ignat. epist. ad Roman.

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Romans; and in the body thereof doth attribute unto himself the title of the Bishop of Syria. Whereby, as he intimateth himself to have been not only the Bishop of Antioch, but also of the rest of the province of Syria, which was under that metropolis, so doth he likewise not obscurely signify that the Bishop of Rome had at that time a presidency over the churches that were in the ¹ Urbicarian region, as the imperial constitutions, or the ² Roman province, as the acts of the first council of Arles call it.

What the Urbicarian region was I will not now stand to discuss: Whether Tacia only, wherein Rome itself was situated [which in the days of Ignatius was one entire region, but afterwards divided into Tuscia, Suburbicaria, and Anoneria] or the territory wherein the *præfectus urbis* did exercise his jurisdiction (which was confined within the compass of an hundred miles about the city) or, with that, those other provinces also whereunto the authority of the *vicarius urbis* did extend; or, lastly, the circuit within which those 69 bishopricks were contained that ³ were immediately subject to the Bishop of Rome, and frequently called to his synods: The names whereof are found registered in the records of that church. The antiquity of which number, as it may in some sort receive confirmation from the Roman synod of seventy bishops held under Gelasius; so, for the distinction of the bishops which belonged to the city of Rome, from those that appertained to Italy, we have a far more ancient testimony from the edict of the Emperor Aurelian; who, in the controversy that arose betwixt Paulus Samosatenus and Domnos for the house which belonged unto the church of Antioch, commanded that it should be delivered to them, ⁴ to whom the Bishops of Italy and Rome should by their letters declare that it ought to be given. Which distinction, as well in the forecited ⁵ acts of the council of Arles, as in the epistles of the ⁶ Sardinian synod and ⁷ Athanasius, may likewise be observed: The name of Italy being in a more strict sense applied therein to the seven provinces, which were under the civil jurisdiction of the *vicarius* or lieutenant of Italy, and the ecclesiastical of the Bishop of Milan.

And it is well worth the observing, that the fathers of the great council of Nice afterwards confirming this kind of primacy, in the Bishops of Alexandria, Rome, and Antioch, and ⁸ in the metropolitans of other princes, do make their entrance into that canon with these words: "Let the ancient customs continue." Which as it cleareth the antiquity of the metropolitanical jurisdiction of the Bishop of Rome, so doth it likewise confirm the opinion of those, who conceive the metropolitan of Alexandria to be meant in that passage of the Emperor Hadrian's epistle under Servianus, ⁹ even the very patriarch himself, when he cometh into Egypt, is by some compelled to adore Serapis, and by others to worship Christ. As if, upon his returning into Egypt, either from his visitation of Lybia and Pentapolis (which this same Nicene canon sheweth to have of old belonged unto his care) or from his flight in that present time of persecution, he should suffer this distraction: The heathen labouring to compel him to the worship of Serapis, and his own Christian flock, on the other side, striving to keep him constant in the service of Christ: For that either the heathen had will, or the Christians power, at that time to force the Jewish patriarch (of whom some do understand the place) to the adoration of Christ, hath no manner of probability in it.

That part also of the canon, which ratifieth the ancient rights of metropolitans of all other provinces, may serve to open unto us the meaning of that complaint which,

¹ Ex Urbicaria regione Cod. Theod. lib. 11. Tit. 2. leg. 5.

&c. In noninibus quæ Concilio Arelatensi I. præfixo leguntur.

1057. S. 23.

⁴ Nicephorus Callist. Hist. lib. 6. cap. 29. but Euseb. lib. 7. c. 30.

Italia, civitate Mediolanen. &c. Ex provincia Romana a civitate Portuen, ut supra.

Epist. ad Alexandrin. in 2. Athanasii Apologia (tom. 1. Oper. edit. Comelin. p. 588.)

solitar. vit. agentes. (Ibid. p. 648.)

Vopis. in Saturnino.—Orig. Notes.

² Ex provincia Romana civitate Portuen,

³ M. S. Vatican apud Baron. an.

⁵ Ex provincia

⁶ Synod. Sardic.

⁷ Athanas. epist. ad

⁸ Concil. Nicæn. 1. Can. 6.

⁹ Hadrian. epist. ad Servian. apud

some threescore and ten years before the time of this synod, St Cyprian made against Novatians; for the confusion which by his schism he brought upon the churches of God: That¹ whereas long since in all provinces, and in all cities, bishops had been ordained, in age ancient, sound in faith, tried in affliction, proscribed in persecution; yet took he the boldness to create other false bishops over their heads. Namely, subordinate bishops in every city, and metropolitans in every province.

In Africk, at that time, although there were many civil provinces, yet was there but one ecclesiastical; whereof Cyprian himself was² archbishop, as the fathers of the Trullan synod call him. It pleased, saith he in one of his epistles,³ all the bishops constituted either in our province, or beyond the sea; intimating thereby, that all the bishops which were on his side the sea did belong unto one province.⁴ For our province, saith he in another place, is spread more largely, having Numidia also, and both the Mauritanias annexed unto it. Whence that great council assembled by him for determining the question touching the baptizing of those that had been baptized by the hereticks, is said to be gathered⁵ out of the province of Africa, Numidia, and Mauritania. For howsoever in the civil government, the Proconsular Africa (wherein Carthage was seated) Numidia and both the Mauritanias (Sitifensis and Cæsariensis) were accounted three distinct provinces; yet, in the ecclesiastical administration, they were joined together, and made but one province, immediately subject to the metropolitical jurisdiction of the prime see of Carthage.

Some threescore years before this African council was held by Cyprian, those other provincial synods were assembled by the metropolitans of sundry nations, for the composing of the paschal controversy, then hotly pursued; and, among the rest, that in our neighbour country, out of⁶ the parishes (for so, in the ancient language of the church, those precincts were named which now we call dioceses) of which Irenæus had the superintendency; whence also he wrote that free epistle unto Victor Bishop of Rome⁷ in the person of those brethren over whom he was president. At which time (and before) the⁸ most famous metropolis of that country, and so the⁹ most eminent churches therein were Lyons and Vienna; in the one whereof Irenæus¹⁰ was then no less renowned a prelate than Cyprian was afterwards in Africa.

Dionysius, the famous Bishop of Corinth, was elder than they, who, among many other epistles, directed one¹¹ to the church of Gortyna, and all the rest of the churches of Crete; wherein he saluted their bishop Philip. Whereby it appeareth, that at that time, as well as in the ages following,¹² Gortyna was the metropolis, and the bishop thereof the metropolitan of all the rest of that whole island. Which kind of superintendency there, Eusebius (the ancientest ecclesiastical historian now extant) deriveth from the very times of Titus; whom, out of the histories that were before his time, he relateth to have held¹³ the bishoprick of the churches in Crete. With whom the Grecians of after times do fully concur; as appeareth both by the subscription annexed by them unto the epistle of St Paul¹⁴ to Titus; ordained (as there they say) the first bishop of the church of the Cretians; and by the argument prefixed by them before the same, speaking of him to the same effect, that¹⁵ he was by Paul ordained bishop of that great country, and had commission to ordain the bishops that were under him, which they gather out of those words of St Paul unto him:¹⁶ "For this cause left I thee in Crete, that thou shouldst set in order the things that are wanting, and ordain elders in every city, as

¹ Cyprian. epist. 52. ² Concil. Constantin. in Trullo, Can. 2.

Epist. 45. ³ *Ex provincia Africa, Numidia, Mauritania.* Concil. Cypriani.

Hist. lib. 5. cap. 23. ⁴ Ibid. cap. 26. ⁵ Ibid. cap. 1.

Atrepto. ⁶ Id. lib. 4. cap. 23. ⁷ Id. ibid. ⁸ Euseb.

⁹ Theodoret in *ub Mena. Act 5. et Synodi 5. generat. Constantinop. Collat. 8.* ¹⁰ Id. lib. 3. cap. 1. ¹¹ Ibid.

¹² Theodoret. Argument. epist. ad Tit. in Oecomenio. ¹³ Tit. 1. 5.—*Orig. Notes.*

I had appointed thee." Out of which M. Calvin¹ collecteth this doctrine unto us for the general: "We learn out of this place, that there was not then such an equality betwixt the ministers of the church, but that there was some one who was president over the rest both in authority and in council." And St Chrysostom, for the particular of Titus,² "had he not been an approved man, he would not have committed that whole island unto him: He would not have commanded him to supply the things that were defective; he would not have committed unto him the judgment of so many bishops, if he had not had very great confidence in the man." And Bishop Jewel upon him again: "Having the government of many bishops, what may we call him but an archbishop?"

Which is not so much to be wondered at, when we see that the bishops of another island stick not (and that without any controul) to deduce the ordination of their metropolitan from the apostolick times, in the face of the whole general council of Ephesus. For whereas the Patriarch of Antioch did claim an interest in the ordaining of the metropolitan of Cyprus, the bishops of that island prescribed to the contrary, that³ from the time of the holy apostles it could never be shewed, that the bishop of Antioch was ever present at any such ordination, or did ever communicate the grace of ordination to that island; and that the former bishops of Constantia (the metropolis of Cyprus) Troilus, Sabinus, Epiphanius,⁴ and all the holy and orthodox bishops which were before them, ever since the holy apostles, were constituted by those which were in Cyprus, and therefore desired that⁵ as in the beginning from the times of the apostles, and by the constitutions and canons of the most holy and great synod of Nice, the synod of the Cyprian bishops remained untouched, and superior to privy underminings and open power; so they might still be continued in the possession of their ancient right. Whereupon the council condemning the attempt of the Bishop of Antioch as⁶ an innovation brought in against the ecclesiastical laws and the canons of the holy fathers, did not only order, that⁷ the governors of the churches which were in Cyprus should keep their own right entire and inviolable, according to the canons of the holy fathers and their ancient custom, but also⁸ for all other dioceses and provinces wheresoever; that no bishop should intrude himself into any other province, which had not formerly, and from the begining, been under him, or his predecessors.

The beginning of which kind of subordination of many bishops unto one chief, if it were not to be derived from apostolical right, yet it is by Beza fetched⁹ from the same light of nature, and enforcement of necessity, whereby men were at first induced to enter into consociations, subjected one unto another, and by Bucer acknowledged to have¹⁰ been consentaneous to the law of Christ, and to have been done by the right of the body of Christ; and by all men must be confessed to be conformable to the pattern delivered by God unto Moses. For having set apart the three families of the Levites for his own service, and constituted a chief (as we have heard) over every of them, he placed immediately over them all, not Aaron the high priest, but Eleazar his son, saying, "Eleazar, the son of Aaron the priest, shall be chief over the chief of the Levites; and have the oversight of them that keep the charge of the sanctuary." In respect of which oversight, as he hath by the Septuagint, warrantably enough by the word of God, given unto him the name of¹¹ a bishop, so the Holy Ghost having vouchsafed to honour him with the title of¹² the president of the presidents of the Levites; none, that without prejudice did take the matter into consideration, would much stick to afford unto him the name of an archbishop; at least he would

¹ Calvin. in Tit. 1. 5.

² Chrysost. in Tit. 1. Homil. 1.

³ Concil. Ephesin. Act. 7.

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

contr. Sarav. cap. 24. sect. 4.

⁹ M. Bucer. de vi et usu S. Ministerii. (inter scripta ejus Anglicana) p.

565.

¹¹ Num. iii. 32.

¹² LXX. Num. iv. 26.

¹³ Id. Num. iii. 32.—*Orig. Notes.*

be taught hereby to retain that reverend opinion of the primitive bishops of the Christian church (who so willingly submitted themselves, not only to the archiepiscopal, but also to patriarchal government) which Calvin professed he did: That in all this, they were far from having a thought, to devise another form of church government, than that which God had prescribed in his word.

The Writers which, in the next Age after the Apostles, have here given Testimony for Episcopacy.

In the XIV. year of Domitian, about the XCV. year of our Lord (according to the vulgar account), St John wrote his Revelation; and in it, the epistle directed by our Saviour to the angel of the church in Philadelphia. No longer than twelve years after that time, Ignatius (St John's scholar) writeth his letters unto the same church. In the beginning whereof, he giveth this testimony unto their bishop; that "he knew him to have been promoted, not of himself, nor by men, unto that ministry, pertaining to the publick weal of the church," which is every whit as much as if he had called him their angel. Afterwards he telleth them, that there is but "one bishop joined with the presbytery and the deacons, and that he delivered this as the voice of God;" "Take heed unto your bishop, and to the presbytery and the deacons;" calling him to witness, for whom he was bound, and for whom he went then unto his last martyrdom, that he had not this from humane flesh (or from the mouth of men), but that the spirit spake it: Without the bishop do nothing. So that from St John's time, we have this continued succession of witnesses, in the age next following, for episcopacy.

In the Year

CVII. Ignatius, Bishop of Antioch, where first they were called Christians.

CXXX. Hadrian the Emperor, touching the Bishops of Ægypt.

CL. Justine Martyr, from Samaria.

CLXIX. The Church of Smyrna.

CLXXV. Dionysius, Bishop of Corinth.

CLXXX. Hegesippus, from Judea.

Irenæus, Bishop of Lyons, near unto us.

CXCV. Tertullian, from Africk.

Polycrates, Bishop of Ephesus.

CC. Clemens, Presbyter of Alexandria.

The Apostolical Institution of Episcopacy: Demonstrated out of the Premises, by William Chillingworth.

If we abstract from episcopal government all accidentals, and consider only what is essential and necessary to it, we shall find in it no more but this: An appointment of one man of eminent sanctity and sufficiency to have the care of all the churches within a certain precinct or diocese; and furnishing him with authority, not absolute or arbitrary, but regulated and bounded by laws, and moderated by joining to him a convenient number of assistants. To the intent that all the churches under him may

¹ Calvin, Institut. lib. 4. cap. 4. sect. 4.

² Ignat. epist. ad Philadelph.

³ Ibid.

⁴ Ibid.

⁵ Ibid. cum Antiocho, Sermon. 124. Orig. Notes.

be provided of good and able pastors: And that both of pastors and people conformity to laws and performance of their duties may be required, under penalties, not left to discretion, but by law appointed.

To this kind of government I am not by any particular interest so devoted, as to think it ought to be maintained, either in opposition to apostolick institution, or to the much-desired reformation of men's lives, and restoration of primitive discipline, or to any law or precept of our Lord and Saviour Jesus Christ: For that were to maintain a means contrary to the end. For obedience to our Saviour is the end for which church government is appointed. But if it may be demonstrated, or made much more probable than the contrary, as I verily think it may, I. That it is not repugnant to the government settled in and for the church by the apostles; II. That it is as compliable with the reformation of any evil which we desire to reform either in church or state, or the introduction of any good which we desire to introduce, as any other kind of government; and, III. That there is no law, no record of our Saviour against it; then I hope it will not be thought an unreasonable motion, if we humbly desire those that are in authority, especially the high court of parliament, that it may not be sacrificed to clamour, or over-borne by violence: And though [which God forbid] the greater part of the multitude should cry, Crucify, crucify, yet our governors would be so full of justice and courage, as not to give it up until they perfectly understand concerning episcopacy itself, *Quid mali fecit*. I shall speak at this time only of the first of these three points: That episcopacy is not repugnant to the government in the church for perpetuity by the apostles: Whereof I conceive this which follows as clear a demonstration as any thing of this nature is capable of.

That this government was received universally in the church, either in the apostles time, or presently after, is so evident and unquestionable, that the most learned adversaries of this government do themselves confess it.

Petrus Molineus, in his book *de Munere Pastoralis*, purposely written in defence of the presbyterial government, acknowledgeth, That presently after the apostles time, or even in their time (as ecclesiastical story witnesseth) it was ordained, that in every city one of the presbytery should be called a bishop, who should have pre-eminence over his colleagues, to avoid confusion, which oft times ariseth out of equality. And truly this form of government all churches every where received.

Theodorus Beza, in his tract *de Triplici Episcopatus genere*, confesseth in effect the same thing. For having distinguished episcopacy into three kinds, Divine, Humane, and Satanical, and attributing to the second (which he calls Humane, but we maintain and conceive to be Apostolical) not only a priority of order, but a superiority of power, and authority over other presbyters, bounded yet by laws and canons provided against tyranny, he clearly professeth, that of this kind of episcopacy is to be understood whatsoever we read concerning the authority of bishops or presidents (as Justin Martyr calls them) in Ignatius and other more ancient writers.

Certainly from^{*} these two great defenders of the presbytery we should never had this free acknowledgment, so prejudicial to their own pretence, and so advantageous to their adversaries purpose, had not the evidence of clear and undeniable truth enforced them to it. It will not therefore be necessary to spend any time in confuting that uningenuous assertion of the anonymous author of the catalogue of testimonies for the equality of bishops and presbyters, who affirms, That their disparity began long after

^{*} To whom two others also from Geneva may be added: Daniel Chamierus (in *Panstratia*, tom. 2. lib. 10. cap. 6. sect. 24.) and Nicol. Vedelius (*Exercit. 3. in Epist. Ignatii ad Philadelph. cap. 14. et Exercitat. 8. in Epistol. ad Mariam, cap. 3.*) which is fully also demonstrated in the former treatise, by the testimonies of those who wrote in the very next age after the apostles.—*Orig. Notes.*

the apostles times: But we may safely take for granted that which these two learned adversaries have confessed; and see, whether upon this foundation laid by them we may not by unanswerable reason raise this superstruction.

“That seeing episcopal government is confessedly so ancient and so catholick, it cannot with reason be denied to be apostolick.”

For so great a change, as between presbyterial government and episcopal, could not possibly have prevailed all the world over, in a little time. Had episcopal government been an aberration from, or a corruption of the government left in the churches by the apostles, it had been very strange, that it should have been received in any one church so suddenly, or that it should have prevailed in all for many ages after. *Variasse debuerat error Ecclesiarum, quod autem apud omnes unum est, non est erratum, sed traditum.* Had the churches erred, they would have varied. What therefore is one and the same amongst all, came not sure by error, but tradition. Thus Tertullian argues very probably from the consent of the churches of his time, not long after the apostles, and that in matter of opinion much more subject to unobserved alteration. But that in the frame and substance of the necessary government of the church, a thing always in use and practice, there should be so sudden a change as presently after the apostles times, and so universal, as received in all the churches, this is clearly impossible.

For what universal cause can be assigned or feigned of this universal apostacy? You will not imagine that the apostles, all or any of them, made any decree for this change, when they were living; or left order for it in any will or testament when they were dying. This were to grant the question; to wit, That the apostles, being to leave the government of the churches themselves, and either seeing by experience, or foreseeing by the Spirit of God, the distractions and disorders which would arise from a multitude of equals, substituted episcopal government instead of their own. General councils to make a law for a general change, for many ages there were none. There was no Christian emperor; no coercive power over the church to enforce it. Or, if there had been any, we know no force was equal to the courage of the Christians of those times. Their lives were then at command (for they had not then learned to fight for Christ) but their obedience to any thing against his law was not to be commanded (for they had perfectly learned to die for Him.) Therefore there was no power then to command this change; or, if there had been any, it had been in vain.

What device then shall we study, or to what fountain shall we reduce this strange pretended alteration? Can it enter into our hearts to think, that all the presbyters and other Christians then, being the apostles scholars, could be generally ignorant of the will of Christ, touching the necessity of a presbyterial government? Or dare we adventure to think them so strangely wicked all the world over, as against knowledge and conscience to conspire against it? Imagine the spirit of Diotrephes had entered into some or a great many of the presbyters, and possessed them with an ambitious desire of a forbidden superiority, was it possible they should attempt and atchieve it once, without any opposition or contradiction? And besides that the contagion of this ambition should spread itself, and prevail without stop or controul, nay, without any noise or notice taken of it, through all the churches in the world, all the watchmen in the mean time being so fast asleep, and all the dogs so dumb, that not so much as one should open his mouth against it? But let us suppose (though it be a horrible untruth) that the presbyters and people then were not so good Christians as the presbyters are now, that they were generally so negligent to retain the government of Christ's church commanded by Christ, which now we are so zealous to restore, yet certainly we must not forget nor deny that they were men as we are. And if we look upon them but as mere natural men, yet knowing by experience how hard a thing it is even for policy armed with power by many attempts and contrivances, and in a long time, to

gain upon the liberty of any one people, undoubtedly we shall never entertain so wild an imagination, as that among all the Christian presbyteries in the world, neither conscience of duty, nor love of liberty, nor averseness from pride and usurpation of others over them, should prevail so much as with any one, to oppose this pretended universal invasion of the kingdom of Christ, and the liberty of Christians.

When I shall see, therefore, all the fables in the Metamorphosis acted and prove stories; when I shall see all the democracies and aristocracies in the world lie down and sleep, and awake into monarchies; then I will begin to believe that presbyterial government, having continued in the church during the apostles times, should presently after, against the apostles doctrine and the will of Christ, be whirled about like a scene in a masque, and transformed into episcopacy. In the meantime, while these things remain thus incredible, and in humane reason impossible, I hope I shall have leave to conclude thus. Episcopal government is acknowledged to have been universally received in the church, presently after the apostles times. Between the apostles time and this presently after, there was not time enough for, nor possibility of so great an alteration; and therefore there was no such alteration as is pretended. And therefore episcopacy, being confessed to be so ancient and catholick, must be granted also to be apostolick. *Quod erat demonstrandum.*

The Mitre and the Crown; or, a real Distinction between them. In a Letter to a Reverend Member of the Convocation. 1711.

By Dr Atterbury.

The long controversy on ecclesiastical rights, maintained between the celebrated Dr Atterbury, afterwards Bishop of Rochester, and Dr Wake, afterwards Archbishop of Canterbury, begun so early as 1700.

The chief points on which Atterbury insisted were 1st, The clergy's right to meet in synods, according to the canons of the Christian church and the constitution of this realm.—2dly, Their right of assembling in convocation as often as a new parliament meets and sits: And, 3dly, A right of treating and deliberating about such affairs as lie within their proper sphere, and of coming to fit resolutions upon them, without being necessitated antecedently to qualify themselves for such acts and debates, by a licence under the broad seal of England. The opinions of men in both houses of convocation were strangely divided about these questions; some thinking them rights entirely due to the clergy, and essential to the being of ecclesiastical synods; others looking upon them as introductive of too bold an independency, and as encroachments on the regal authority. A full account of the controversy may be found annexed to Atterbury's life in the *Biographia Britannica*.

Reverend Sir,

THE question is not, whether the supreme civil magistrate has political power and the high honour to be 'protector and defender of the body of Christ, the church, within his dominions.

Nor, whether he be *utriusque tabule custos politicus*,¹ keeper of both tables of the law, and so obliged politically to take care of religious persons and affairs, and to procure ecclesiastical persons to execute censures?

Nor,² whether he has an accumulative civil power to call synods or convocations of ecclesiastical persons, to consult, and decisively to conclude about purely spiritual church-matters?

Nor, whether he has a judgment of discretion in such matters, in reference to his own approbation, subsequently to the judgment and decrees of the constituted church?

Nor, whether he has power to ratify within his own dominions, the decrees of synods or convocations by his civil sanction?

Nor, whether he has power to deny his civil ratification of them, though very good in themselves?

Nor, whether the liberty of exercising the episcopal and sacerdotal functions, in a peaceable undisturbed manner, be from him?

Nor, whether foreign jurisdictions and appeals claimed by popes, or that may be afterwards unjustly claimed by any other foreigners, be by the supreme civil magistrate justly and necessarily barred and excluded?

Nor, whether our kings and queens, as such, be supreme over all persons ecclesiastical, as well as civil, in their own dominions, in all temporal and civil matters?

Nor, whether the regal supremacy extend itself not only to all persons, but also to all causes, as well ecclesiastical as temporal, in a purely civil political way?

Nor, whether it be unlawful for subjects, of what order, rank, or degree soever, clergy or laity, to take arms³ upon any pretence whatsoever, against their sovereign king or queen? All these things, sir, are heartily and readily granted.

But, sir, the question, I humbly conceive, is, whether the keys of the kingdom of Heaven, that is, the key of doctrine, by which God's mercies and judgments are authoritatively declared and denounced; and the key of discipline, by which all persons are authoritatively and ministerially either admitted to, or rejected from the privileges of church-communion, and their sins are bound or loosed; or, in other words, whether the key of order, and the key of jurisdiction, or any one act or branch of the same, was originally given by our Lord Jesus Christ to the supreme civil magistrate, as such, or, as he is a civil magistrate? Or, did Christ originally give these keys to his apostles and their successors?

Or thus, Whether the supreme civil magistrate, as such, is invested with a power from Jesus Christ, juridically to remit or retain sins, authoritatively to dispense the word, sacraments, or censures of the church, or any one of them? Whether Christ has installed him in the stewardly office of bearing the keys, which consists in governing the spiritual household by discipline, as well as feeding the same by doctrine? Or whether the apostles and their successors were installed in this office, and invested with this power?

This, sir, I humbly conceive, is the case, the root of the matter; and if it appear, that our Lord Jesus Christ never conferred this power, nor any one branch of it, upon the supreme civil magistrate, as such, but on the apostles and their successors, I cannot by any scriptural direction, nor otherwise, see how such a civil magistrate has this ecclesiastical power virtually, that is, how he can convey this power or any branch of it, to others: For, *Nemo dat quod non habet*, no person can transfer that power to another, to which he has no right himself: How can one give what he in no respect has? nor can I apprehend, with submission to better judgments, that bishops and priests, in dispensing church censures, act in the name and by the authority of the

¹ Isa. xlix. 23.

Deut. xvii. 18, 19, 20. 1 Tim. ii. 2.

³ 14 Car. II.—*Orig. Notes.*

civil magistrate, as his delegates; but in the name of, and immediate subjection to, and dependence upon Jesus Christ. For,

If we view the Holy Scriptures, it clearly appears, that the keys of the kingdom of Heaven, or the power of governing and feeding his church, was expressly given not to civil magistrates, but to the apostles: ¹ "As my Father hath sent me," says Christ, "even so send I you, [my apostles] and when he said this, he breathed upon them [the apostles] and saith unto them, receive ye the Holy Ghost. Whosoever sins ye remit, they are remitted unto them; and whosoever sins ye retain, they are retained." And Christ speaking unto St Peter, confessing in the name of the rest, says, ² "I will give unto thee the keys of the kingdom of Heaven, and whatsoever thou shalt bind on earth, shall be bound in heaven: Whatsoever thou shalt loose on earth, shall be loosed in heaven." And again, ³ "Jesus came and spake unto them, saying, All power is given unto me in heaven and in earth; go ye, therefore, and make disciples of all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost: Teaching them to observe all things whatsoever I have commanded you: And lo, I am with you alway, even unto the end of the world. Amen." Let the kings of the earth produce such a commission, if they can.

Bishops and priests are in holy scripture called ⁴ watchmen over souls, ⁵ overseers or inspectors of the flock, ⁶ pastors or shepherds, ⁷ ambassadors in Christ's stead, ⁸ spiritual fathers in Christ: Which ecclesiastick characters the scriptures apply not to kings or queens. Nor does St Paul, in his epistles to Timothy and Titus, which contain a form of church discipline, take any notice of the qualifications of a king or queen, though he expresses the qualifications of bishops and deacons; and though he takes occasion to speak of principalities and powers, and to require all due subjection to them: And yet if civil magistrates had been designed for first subjects, and fountains of church-power on earth, and bishops and priests but their delegates, executing or suspending church censures at the civil magistrate's pleasure, then would the qualifications of Christian kings and queens have been mentioned, rather than the qualifications of bishops; and the epistles and the precepts therein would have been directed to emperors and kings when they became Christian, rather than to Timothy and Titus: But St Paul knew his Lord's mind better, nor does he ever mention magistrates, as such, in the roll of ⁹ ecclesiastical officers. Let them shew it who can.

But, sir, besides the foundation which our present argument has in the holy scriptures, it also shews itself evidently by the light of reason, and of uncontroverted history. The abovesaid power of the keys, as already explained, was not, could not be given to the supreme civil magistrate, *quatenus*, or as he is the civil magistrate, because then it would follow, that Christ had given such power to all magistrates, whether heathen or christian: For *a quatenus ad omne valet sequela*. If a man, *quatenus*, or as he is a man, be a rational creature, it incontestably follows, that every man is a rational creature: So if the civil magistrate, *quatenus*, or as he is a civil magistrate, was originally invested by Jesus Christ with the power of the keys of the kingdom of heaven, then it would evidently follow, that every civil magistrate was originally vested with the same power; but that's irrational and absurd: For, 1st, As to heathen magistrates, how could they be Christian church-governors, who were not, nor would be church-members, but professed persecutors of the church? And, 2dly, As to Christian civil magistrates, there were none in our Saviour's time, and a non-entity or nothing could have no office nor power bestowed upon it. Yea the church for the first three hundred years and upwards, as is evident from undoubted history, was without Christian supreme civil magistrates, and when without them, and before its incorporation

¹ St John xx. 21, 22, 23.

² St Matt. xvi. 29.

³ St Matt. xxviii. 18, 19, 20. *Matthæi 28, &c.*

⁴ Heb. xiii. 17.

⁵ Acts xx. 28.

⁶ Ephes. iv. 11.

⁷ 2 Cor. v. 20.

⁸ Thess. ii. 11.

1 Cor. iv. 15.

⁹ Eph. iv. 10, 11, 12.

1 Cor. xii. 28. &c.

Rom. xii. 6, 7, 8.—*Orig. Notes.*

with the state, was yet perfect *in suo genere* both *in esse et operari*; in being, and in all church operations; was exhorted, comforted, censured, established in the faith, increased in numbers, governed and fed by, and spiritually flourished under her genuine ecclesiastic officers, the bishops, the successors of the apostles, whom Christ had vested with the power of the keys: From all which, sir, it appears, that the civil magistrate, as such, is not so entrusted with the government of the church, as that bishops and priests in discharging their purely spiritual functions, are his vicegerents or delegates, and that there is a real distinction between the mitre and the crown, the bishop and the king, for those things or persons are really distinct, of which one can exist without the other.

If, sir, it be suggested, that our Lord and Saviour intended the emperors, kings and queens of the earth, when they became Christian, should have the power of the keys of the kingdom of Heaven, the power of the spiritual censures of the church, and that the bishops and priests in their purely spiritual acts, censures, &c. should be dependent upon them, as their proxies or substitutes, acting or not acting at their command.

I protest, sir, I cannot have any satisfactory view of such a notion, by any light either of Holy Scripture, of sound reason, or of ecclesiastick history: And unless it can be plainly shewn, when and wherein Christ voided the church's charter, resumed the ecclesiastick powers, originally granted to his apostles and their successors, and transferred them upon the emperors, kings and queens of the earth, I shall find myself obliged to think quite the reverse to the foresaid suggestion.

In revolving the scriptures, I can see no precepts, directions, nor exhortations relating to a Christian king's either having or exercising such spiritual church power, by executing spiritual censures, either personally or by vicegerents. Spiritual government is necessary for the church, as it is a spiritual society: Without a governor, there can be no government: 'Tis acknowledged that the king or queen is the supreme civil governor of the church as well as of the state; but if he be also the rightful spiritual church-governor, 'tis strange that the scriptures are so profoundly silent about such an essential: And indeed such as maintain the Christian king to be *de jure* the spiritual governor of the church, personally or by proxy, seem to put a mighty slur upon the perfection of the scriptures, for these take no notice of him as such: But on the contrary, ever since God separated the sacerdotal and regal offices, the Holy Scriptures do, in all transactions between God and man in sacred affairs, always mention bishops, presbyters, and deacons, as the transactors, mediators, and managers; speaking to, and acting with the people, in God's name, and with God, in the name of the people. In these sacred repositories of truth, we find, that the Christian bishops and presbyters, or priests, are called Christ's ¹ ambassadors and ministers, and consequently not the king's; Christ's ² gifts to the church, and not the king's, ordained ³ by apostles, vicegerents to God the Son; not by kings, vicegerents to God the Father; nor by commission from them: They ⁴ baptize in the name of the Father, Son and Holy Ghost, and not in the king's; they ⁵ excommunicate in Christ's name, not in the king's: Titus, ⁶ and not the Christian king, is bid to reject a man that is an heretick. Hence 'tis evident from the sacred writings, that not Christian kings, as such, but Christian bishops, and priests as such, have, and are without let or impediment to execute the power of the keys, the power of spiritual censures.

If the general notices of reason be consulted upon this point, it is, sir, I humbly conceive, a clear maxim of reason, which universally obtains among all well-ordered societies, that different faculties, offices, and callings should not be mixed and confounded. Though one and the same person may be skilled in various affairs, yet one office, one

¹ 2 Cor. v. 20. 1 Cor. iv. 1, 2. ² Eph. iv. 8, 10, 11. ³ Acts vi. 3, 4. Ch. xiv. 23. Ch. xx. 8.

⁴ Matth. xxviii. 18, 19. ⁵ 1 Cor. v. 4, 5. ⁶ Tit. iii. 10.—*Orig. Notes.*

calling is not formally another: Nor is a master in one faculty or art, as such, to set himself up as judge in another. The ablest physician, as such, is no competent judge of controversies between lawyers, musicians, or painters, as such. *Fabri fabrilis tractent.* One should not thrust his sickle into another's field.

The king or queen has supreme irresistible power over physicians, lawyers, musicians, painters, and all other persons in his or her dominions, and has power to punish them for mal-practice, or breach of promise and compact: But is he, as king, formally a physician, or painter? Or is his judgment as king, the supreme rule in such cases? Don't all allow, that the faculty or chiefs of the incorporated company, are the proper judges in their respective sciences and arts?

So the king or queen has supreme irresistible power over the persons of all bishops, priests and deacons, in his or her dominions? But is he, as king, formally a bishop, priest, or deacon? Or is his judgment, as king, to be the supreme standard and rule to determine them in their purely spiritual acts, censures, &c.?

If it be said, that the king or queen, as a Christian, has an interest in church-faith and practice, and therefore should be a decisive judge in such matters as spiritual censures, &c. 'tis easily replied, that he is a judge with respect to his own private opinion, which, if it approve not the episcopal spiritual censure, he leaves it to operate in a purely spiritual way, and assists it not with his secular power: But if any Christian king should put in claim for being a spiritual judge paramount, then must he claim this right, either 1. as he is a Christian, or, 2. as it is a *jure divino* right inherent in the crown. If he claims it as a Christian, then, by the same argument, all Christians must be such publick judges; for each of them has an interest in church-faith and practice. But this is too gross to be admitted. If he claims it as being a *jure divino* right inherent in the crown, then, by the same argument (for dominion is not founded in grace) it will follow, that all popish emperors and kings, who have had, or still have a right to their crowns, likewise had, and have a *jure divino* right to be spiritual judges paramount, to manage censures, and make what laws they think fit for the church, as well as the state: Or otherwise, no Christian prince whosoever can form any just pretence of being such a spiritual judge, *jure coronæ*, by right of his crown.

But such a notion cannot, ought not to be granted: Had King James II. whom all of us reckoned our rightful prince before the Revolution, had he, I say, the power of the keys? Had he a right to be supreme judge in spirituals, and to over-rule the bishops in the management of purely ecclesiastical affairs, *jure coronæ*, by right of his crown? Will protestants affirm, that a popish prince had power to make what constitutions he thought fit for the church of England? Or that any protestant prince has such power? "Were this single doctrine true," says the reverend and learned Dr Francis Atterbury, prolocutor of the present convocation, viz. "That the prince has but power to alter the resolutions of a convocation of the clergy according to his own liking, before he gives his authority to them——then, the late king [James] might have gone a great way towards subverting our religion, without breaking in upon the constitution, or doing any thing illegal. He might have assembled the clergy, and commanded their judgment upon such and such points; and then altered their resolutions to his own liking; and so have set up rank popery under the countenance of a protestant convocation." Such, sir, is the consequence of this doctrine; and indeed, I am humbly of opinion, that if such notions of the spiritual power of princes, by right of their civil sovereignty, had not been instilled into that unfortunate king, he would never have attempted upon the established church as he did; and consequently a vast expence of blood and treasure might have been saved. In fine, sir, if the offices of kings and bishops be

¹ The Rights, Powers and Privileges of an English Convocation: London, printed 1700. Pref. p. 5, 6.—*Orig. Note.*

mixed and confounded, may not all others, in process of time, plead the same liberty of confusion, until none know his proper sphere for action, and all become exorbitant and wild?

If, in the next place, sir, we advance to a view of history, 'tis plain, that in the three first centuries, there were no Christian emperors nor kings.

Constantine the Great, the first Christian emperor, bespeaks the first council of Nice, thus,¹ "God hath made you priests, and hath given you power to judge me, and therefore it is in you to judge me righteously; but you cannot be judged by any men. It is God only can judge you. You are as Gods to me, &c. that is, in purely spiritual affairs."

The Emperor Valentinian, upon the vacancy of the see of Milan, sent for the bishops of the province, and addressed them thus:² "Ye know very well from the scriptures, what kind of man he ought to be, who is worthy of the high priesthood, that he should be a person who ought to instruct his subjects not only by his words, but by his works. Wherefore now do ye place such an one in the bishop's chair, that we who administer the empire, may with all sincerity bow down our head to him, and receive his reprehensions as spiritual medicines."

The Emperor Marcian coming in person at the passing the definitions of the great council of Chalcedon, says in his speech to them,³ "That he came not to make demonstration of his own power therein, but to give greater firmness to what they had done in the exercise of theirs, ratifying the same by secular penalties."

The Emperor Basilius said,⁴ "That it in no wise belonged to a layman to meddle with ecclesiastical causes, nor to resist the whole church and an œcumenical council: For the cognizance and discussion of such matters belongs, says he, to patriarchs, bishops, and priests, to whom God hath given the power of binding and loosing."

I will not, sir, multiply testimonies: And those mentioned are so plain, that there's no need either of comment or application. Only I cannot omit reminding you of the Book of Common-prayer, and Administration of the Sacraments, and the form and manner of making, ordaining, and consecrating bishops, priests, and deacons: All which are confirmed by the act of parliament for uniformity, and do expressly teach a real distinction between the sacerdotal and regal powers; and that bishops and priests, in their purely spiritual offices and administrations, are not the king's or queen's, but Christ's delegates and substitutes: There they are enjoined to baptize persons, to ordain priests and deacons, and to absolve penitents, not in the name of, or by an intrinsic power deriv'd from, the king or queen, but in the name of the Father, Son, and Holy Ghost. And I doubt not, sir, but every true church-man interprets whatever act relates to the regal supremacy, in a sense fully agreeable to the aforesaid books, confirmed by the act for uniformity: For he would have too mean and cheap an opinion of the collective wisdom of the nation, who should imagine, that it would compile any acts, but such as agree with the divine law, such as peaceably accord with each other, and leave entirely with the church her inherent, inseparable, and unalienable purely spiritual rights, her power of binding and loosing, &c. which Christ left with her, as requisite to secure her from "the gates of hell prevailing against her."

The Right Reverend the Lord Bishop of Sarum has clearly informed us,⁵ that the regal supremacy, as qualified and explained by our kings and queens, pretends not to the sovereign disposal of the power of the keys, nor does it swallow up the spiritual

¹ Rufin. l. 1. c. 2.

² Theodor. Eccl. Hist. l. 4. c. 6.

³ Concil. Chalced. part. 2. Act. 4. p. 345.

Tom. 3. Concil. Ed. Bin. et p. 361. *ibid.*

⁴ Beveregi *Συνοδικὸν*. Tom. 11. p. 109, 110, cited by the Reverend Dr George Hickes in his Prefatory Discourse in Answer to the Rights, &c. p. 113, 114.

⁵ Reflections on the Relation of the English Reformation. Printed at Amsterdam for J. S. 1688, when the Popish Controversy was on Foot, and he was in Holland, p. 18, 19, 20, 23, 28, 54, 92.—*Orig. Notes.*

rights of the bishops, but supposes them vested therewith by Jesus Christ. When I advance to the darling objection framed by the admirers of that book falsely entituled, *The Rights of the Christian Church*, &c. his lordship's express words, which I now want room to transcribe, will afford an excellent and pertinent answer. 'Tis such men, sir, as are spirited with the notions of that ill book, who would be making our kings and queens as popes to the church, devourers of her inherent spiritual rights, that so they may with the less difficulty go on to persuade mankind, that kings and queens are the creatures, the servants, and trustees of the people, who, in virtue of their natural rights, may make and unmake them; retain, or resist and turn them off, as the fancy takes. 'Tis such men, sir, whose conviction I aim at; and, for their further satisfaction, I beg leave to conclude with a short view of the Crown and the Mitre, as shining in their distinct orbs.

The Crown.

1. The original of regal power is from God, the Creator and Governor of the world, and so belongs to all mankind, Heathen or Christian. *Rom. xiii. 1, 2, 4.*

2. All the kingdoms and states of the world are not homogeneous, that is, are not of the same name and nature, but have different civil rights, privileges, laws, and constitutions, different modes of government, different rewards and punishments; are independent on each other, not politically united into one body, not incorporated into one whole catholick kingdom.

3. The kingdoms and states of the world, collectively considered, are not Christ's body: Nor are any particular kingdoms of the world as such, far less undelieving empires and kingdoms, members of his body.

4. The civil magistrate's kingdom is of this world, and he uses only the temporal sword to correct or defend his subjects: *Rom. xiii. 4.*

5. Kings, by virtue of their office, must bear the temporal sword, must be strikers of stubborn and evil-doers.

6. The civil magistrate's laws, ordinances, and censures, are for those with-

The Mitre.

1. The original of the ecclesiastick episcopal power is from Christ, the mediator and head of the church, and so belongs properly to the church. *Isa. ix. 6. St Matth. xxviii. 18, 19. 2 Cor. x. 8. Eph. i. 22. Col. i. 18.*

2. All the parts of the catholic church are homogeneous, that is, of the same name, spiritual nature and constitution with one another, and with the whole: Having the same priesthood, faith, and baptism, the same fundamental laws and discipline, the same privileges and rights, the same rewards and punishments, incorporated and united into one body, one whole catholic church; the care of which was committed jointly as well as severally, in whole as well as in part, to the apostles and their successors.

3. The whole church, collectively considered, is called the body of Christ, *1 Cor. xii. 27. Col. i. 18, 24.* as particular churches are members of that body.

4. Christ's kingdom the church is not of this world, *St John xviii. 36.* and she uses only the spiritual sword, *2 Cor. x. 4.*

5. Bishops, by virtue of their office, must be no such sword-bearers, no such strikers: They have no arms, but spiritual censures, prayers, and tears, *1 Tim. iii. 3. Tit. i. 7.*

6. The churches, laws, canons, and censures, are not for those that are without,

The Crown.

out, as well as for those within the pale of the church; for Jews and Turks, as well as Christians.

7. The King, as such, forbids disobedience, only under the penalty of his temporal punishment, according to his laws that are mutable.

8. Kings exercise all authority in their own name, throughout their dominions.

9. The sentence of any king or state has no effect out of their own dominions

10. The regal power oft-times punishes known penitents.

11. The regal power may be in a child, or in a woman.

In fine, sir, I dare not presume once to imagine, that any of your sacred order can find fault with asserting the inherent spiritual rights of the church. But if, unhappily, any such be found, I humbly desire you to call to mind what the reverend and learned Dr Francis Atterbury, prolocutor of the present convocation, pronounces concerning them: "Those divines," says the doctor, "who read lessons to princes, how to strain their ecclesiastical power to the utmost without exceeding it, and oppress their clergy legally, are not surely the best men of their order. They are Church Empsons and Dudleys, and usually find the fate of such wretched instruments, to be detested by the one side, and at last abandoned by the other."

I am, with profound submission and respect,

Reverend Sir,

Your humble servant, &c.

A Continuation of the Mitre and the Crown; or, a real Distinction between them. In a Second Letter to a Reverend Member of the Convocation. 1712.

By the Author of the First Letter.

REVEREND SIR,

I have in my first letter, as plainly and briefly as I could, stated the question about the subjects of the power of the keys of the kingdom of heaven; or the persons on whom our blessed Saviour bestowed that purely spiritual power, juridically to remit or retain sins, authoritatively to dispense the word, sacraments, and censures of the

¹ The Rights, Powers, and Privileges of an English Convocation, stated and vindicated, &c. Printed 1700. Preface, p. 11.—*Orig. Note.*

church. And by direction of the sacred oracles, of consentient church-history and right reason, found myself obliged to assert, that not emperors, kings, and queens, as such, whether heathen or christian; but the holy apostles, and their successors to the end of the world, were originally vested by our Lord Jesus with this power: That they execute the same, not in the name, and by the authority of the secular sovereign, as his creatures or delegates, but in the name of, and immediate subjection to, and dependence upon Jesus Christ.

Hence, sir, I concluded, that there is a real distinction between the mitre and the crown, between church and state, between the bishop and the king, the sacerdotal and regal powers.

But, sir, I will not repeat; I rather beg leave to refer you to the letter itself, which I can scarcely abridge; where I think the point is doctrinally established, so that the proof of it needs not be resumed.

All then that remains, sir, is to secure this weighty truth against those objections and cavils, wherewith, as I have observed, ill men seek to perplex it; and to disperse those mists which they raise, those clouds which they gather, in order to eclipse and obscure, and, if possible, to abolish it.

I heartily wish, sir, there were no occasion to proceed farther into the merits of this cause: And I cannot but think, that it would be as easy for the bishops and clergy in convocation, by an authoritative ecclesiastick censure, to blast the ill principles of the opposers of this doctrine, without farther debate, as it is for me to assign the main season of their opposing it.

The reason, sir, is obvious: They deny the independence of the church, in its purely spirituals, upon the state; they throw the divine commission of bishops at the feet of secular princes; they do thus wholly subject the mitre to the crown, with a manifest design to exalt themselves upon the ruins of both.

The authors of that very ill book, falsely intituled, *The rights of the Christian Church*, sufficiently discover this, by telling the world, that "The Church of England, as to its polity and discipline, is a perfect creature of the civil power;" that all spiritual power is vested in the king; and that whatever the bishops or other ecclesiasticks have, is derived from him." Mighty kind-hearted! Whence is it, sir, that they are so profuse in their gifts to kings? There's³ a snake in the grass. Their gifts are extremely dear. They pretend to make a present of a spiritual *supra papal* power to our kings and queens, but upon express condition that our kings or queens shall own themselves to be the precarious creatures and servants of the people: For the same author of the *Rights*, &c. boldly says,⁴ that "All the power the magistrate can claim—is immediately from the people." And they know well enough, that if they can but once persuade the world, that the people have a right to confer both spiritual and temporal power; they have a right to resume it to themselves, the [odious pretended] original of it: The issue of which would be a direful cry about our streets of, No mitre, no crown.

But, sir, those levellers, those doctors of resistance, not being able to bring about such an anarchical resumption directly and at once, as they did in forty-one, do labour their point another way: They, as the author of the book of the *Rights*, do artfully teach the secular princes to invade the hierarchical powers, to execute the episcopal commission, and to degrade the bishops almost into cyphers and nullities.

Hence those principles of church unity in their several dioceses, whose office it is, under Christ, to be diffusers and supporters of loyal religion, are by these arts either

³ *Rights*, &c. Part 1. Ed. 2. London, printed 1706. Pref. p. 4. ⁴ *Ibid*. Pref. p. 35. 36. ⁵ *Times*

Danaos, et dona ferentes.

⁶ *Rights*, &c. p. 2.—*Orig. Notes.*

tempted to a secular spirit, the better to secure their ecclesiastical tenures, which the author of the Rights, in his Dutch way of management, teaches to be dependent on the state; or else, ineffectually striving against these artifices, they are fatally discouraged, discipline in its just extent is rendered impracticable, or is much relaxed; hence many are tempted not only unjustly to condemn their persons, but also their most sacred office; and thus men's minds being initiated in schism, and disengaged from the laws of Christ, are woefully prepared to entertain all the seeds of faction, which those resisters of authority are always sowing.

In a word, sir, the great reason of their attempting by all means to weaken the mitre, is that they may the more successfully attack the crown; and in the end, glut their unbounded ambition and covetousness with the spoils of both.

Though, sir, our governors are all aware of this ill set of men, and a steady regular conduct sufficiently appears against their bad designs, yet are they so far from being out of countenance, that short of all modesty, as well as besides all reason, they continue the old opposition, both from pulpit and press, and how many other ways I know not.

I have often humbly wished, sir, with an awful submission, that the mitre, so nearly resembling cloven tongues, may at last shew its piercing efficacy in this case, that Aaron's rod may be lifted up, that the pastoral staff may interpose to ward off the pernicious insolence, and that the spiritual sword may shew its edge and its use on this occasion: Soft reproofs do but tempt their disdain, and cherish their presumption; this would reclaim or silence them, or at least effectually prevent the open spreading of the infection; for it would be impious not to believe, that our Lord Jesus would bless his own appointed censures, and support the sacred persons of his vicegerents in the due and faithful execution of the divine commission.

In the mean time, sir, it may not be amiss to consider the most popular objections, by which they attempt to demolish the episcopal thrones; which I shall do, as briefly as the case will bear: And I hope, through God's blessing, to work in them some degree of conviction, unless they have unalterably resolved never to be convinced.

It is objected, that the supreme civil magistrate is a person appointed to edify the church, he being confessedly *utriusque tabulae custos et vindex*, keeper and defender of both tables of the law, which relate to spiritual as well as secular matters: Hence it follows, say the objectors, there is no such independence of the mitre upon the crown in spiritual matters, as is originally claimed; no such distinction as is asserted.

Answer. 1. The supreme civil magistrate, king or queen, is not absolutely necessary to edify the church, as bishops and priests are, without whom Christ has no visible kingdom on earth; and with whom Christ had an external visible kingdom three hundred years and upwards, before the church came to have the favour of the secular powers. 'Tis readily owned, that without the assistance of a Christian civil magistrate, the edification of the church might formerly have been, and may now be externally slower and less vigorous: But no privation or intrinsical essential defect in the church was then, or could be now, though the world were not blessed, which God forbid, with any Christian king or queen.

2. The supreme civil magistrate is a means to edify the church, not by any elicit intrinsical acts, not by any formerly spiritual ecclesiastical acts done by himself, as king, or by his delegates; but by imperated commanded acts extrinsically, requiring the bishops to do their duty, and *removendo prohibens*, by his civil sword, driving away wolfish hereticks and schismaticks from his subjects.

Hence, sir, 'tis evident, that there is as great a difference between the bishop's and the king's being a means to edify the church, as there is between edifying it by elicit intrinsical acts, and edifying it only by imperated extrinsical acts: Yea, as vast a dif-

ference as there is between an absolutely necessary means, and no absolutely necessary means; or if you please, sir, as there is between a means to the very *esse* or being, and a means only to the *bene esse* or well-being of the church. But as to this last distinction, sir, I doubt not, but that to prevent any unwary reader's perverting it, you will allow the following restriction, That the Christian church had both a spiritual being and well-being, several centuries before there was any supreme Christian civil magistrate to guard it with his secular power. This is uncontestable fact. I beg leave, sir, for farther illustration, to observe,

3. That the supreme civil magistrate is such a means for curing souls, as he is for bodies, when he provides bodily physicians that can perform cures, though he be no physician himself: Thus is he a means of edifying the church *materialiter*, (as the schools love to speak) but not *formaliter*, as bishops and priests are. And if you please, sir, I'll turn the tables, and put the point in another view, thus: Physicians, printers, and sailors, in their lower, as well as kings or queens in their higher spheres of activity, may contribute their respective powers to such things as do materially, though not formally, promote a supernatural end, and edify the church: Printers may print and publish the holy volume; physicians may preserve or restore the health of bishops, priests, and deacons; sailors may transport them to remote countries, in order to convert or confirm souls; and the king or queen may command them to do all these things, and may politically enable and encourage, and upon neglect punish them, as he is *utriusque tabulae custos et vindex politicus*, keeper and civil defender of both tables of the law; yet as none will say, that those artists are ecclesiastical officers, or do formally edify the church, so none can rightly say the same of kings or queens, as such: For though all their powers, in this case, be objectively, or in regard of the object, and extrinsically ecclesiastick and spiritual; yet the powers of the artists are formally and intrinsically mechanical, and the power of the king or queen is formally, and in itself, and intrinsically political and civil; and so neither of the said powers can be denominated formally spiritual: For you very well know, sir, that powers have their specification, nature, and name, not from their material, but their formal objects. So that this objection vanishes. But, sir, the enemies of the mitral powers advance with much assurance, and think to conquer them with their own weapons, by turning the 37th article of the Church of England into an

Objection. The Jewish civil magistrates, say they, were supreme ecclesiastical rulers and judges, and were vested with a power to command the priests in spirituals. Now 'tis plain, say they, that the 37th article declares our kings and queens to have such prerogative as hath been given always to all godly princes, in holy scriptures, by God himself: Hence they infer, that according to the abovesaid article, our sovereign kings and queens have the same power still, and consequently that the mitre is not independent of the crown in spirituals.

Answer. 1. Supposing the Jewish kings had been supreme in ecclesiastical affairs, as is objected, it is incumbent upon our opponents to prove, which is not yet done, that they were such, by virtue of their civil supremacy; before it can be justly attempted to make our Christian kings, as such, ecclesiastical potentates, after the Jewish example.

2. Arguments drawn from some extraordinary acts of some kings, as David, Solomon, Hezekiah, Jehoshaphat; with a design to contract the hierarchical powers, by extending the regal, are cautiously excluded by the 37th article. For it says, that only such prerogative as was always given to all godly princes, is attributed to our kings and queens; viz. such as are mentioned in the beginning of my first letter. And 'tis evident, sir, that the following words of the article, which are exegetical of the former, do fix this regal prerogative in a political ruling power over all persons, ecclesias-

tical as well as temporal, in restraining them with the civil sword when they are stubborn evil-doers. And this designedly, in just opposition to the former papal exemptions of the clergy from the civil jurisdiction of our kings.

3. 'Tis false in fact, that the godly Jewish kings were supreme ecclesiastical administrators and judges: For,

It was not the king's, but ¹ the priest's office, to bless in the name of the Lord; and consequently to judge who were fit objects of the sacerdotal benediction.

It was not the king's, ² but the priest's office, to sacrifice and burn incense: Hence King Uzziah, for usurping this peculiarity of the priestly office, was branded with leprosy by God, and thrust out from the congregation by the priests, and died under the visible mark of divine vengeance.

It was not the king's, but the priest's office, ³ to judge of the clean and the unclean.

The priests and Levites were separated ⁴ to bear the Ark of the Covenant, and not the king.

The priests and Levites ⁵ were set apart for the service of the tabernacle, and not the king.

The priest's lips, ⁶ and not the king's, were appointed to preserve spiritual knowledge.

In view of this distinction between the sacerdotal and regal offices, under the Mo-saick economy, 'tis very probable that the king was anointed with a sort of oil inferior to that wherewith the priest was anointed: For the priests that had the holy oil upon their heads, might not ⁷ lament for the dead; but kings might, as David did for ⁸ Abner and for Absalom. If this be but a conjecture, yet

'Tis certain, that their civil and ecclesiastick judicatures and judges were distinct and different. "Jehoshaphat ⁹ set judges in the land throughout all the fenced cities of Judah, city by city:" therefore also at Jerusalem, the chief fenced city. "Moreover," ¹⁰ in Jerusalem did Jehoshaphat set of the Levites and priests," &c. and said, "Behold," Amariah, the chief priest, is over you in all matters of the Lord, and Zebediah the son of Ishmael, the ruler of the house of Judah, for all the king's matters." Here's a most clear distinction: For,

1. The civil judicature was not confined to one place, but was in every fenced city; whereas the ecclesiastical judicature was tied to Jerusalem, ¹¹ "The place that the Lord did chuse."

2. The judicature at Jerusalem, in the 8th verse, is ushered in with a "Moreover," which would have been needless, if it had not been ecclesiastical, and different from the former in the 5th verse.

3. The civil judicature in the 5th verse, are called judges, who could not be ecclesiasticks, because he speaks of them verse 8.

4. The objects of these two judicatories are very different: The object of the one, is all the king's matters; of the other, all the Lord's matters, verse 13.

5. There were two different presidents: Amariah over the judges in all the Lord's matters; Zebediah over the judges in all the king's matters.

If, sir, it be suggested, that though these two judicatures were distinct, yet they were the mere creatures of King Jehoshaphat: he appointed, charged, and commanded them.

I reply, 1, That these were no new judicatories erected, but old ones restored by him; bearing date from the time that God separated the sacerdotal from the regal of-

¹ Deut. xxi. 5. and ch. x. 8.

² 2 Chron. xxvi. 16, 17, 18, &c.

³ Levit. x. 10. ch. xiii. 3,

4, &c. 23. ⁴ Num. xvi. 9. Josh. iii. 8. 1 Kings viii. 3. 2 Chron. v. 7.

⁵ Num. xviii. 3, 4, &c. 23.

⁶ Mal. ii. 7.

⁷ Levit. xxi. 10.

⁸ 2 Sam. iii. 31. ch. xviii. 33.

⁹ 2 Chron. xix. 5.

¹⁰ Verse 8.

¹¹ Verse 11.

¹² Deut. xvii. 8.—*Orig. Notes.*

fice, and settled the priesthood in the house of Aaron, in the tribe of Levi: After which, kings might not execute the sacerdotal function. 2. The Jewish kings commanding the priests to do their duty, was no more a proof of their spiritual sovereignty, than the prophets and priests' charging, rebuking, and threatening the kings, was a demonstration of their civil sovereignty. 3. The king's power of commanding, as king, must be commensurable to his power of punishing the transgressors of his command; which, ever since the aforesaid date, was, and still is, only externally. 4. Though kings or queens formerly had, and still have, a right to command bishops and priests accumulatively; that is, to do their duty, to fulfil God's will in the administration of his spiritual kingdom; yet they have no right to command them privately, that is, they have no right to command them to betray their spiritual privileges, and surrender them to their king.

Objection. "Two such powers ruling the body politick, is as absurd as to suppose two souls, independent of one another, to govern the body natural. Two heads to the same body, whether natural or political, can serve to no other use, than to make a monster of it."

Answer. These gentlemen are not ashamed to beg, when they cannot prove their point. They suppose the church and state to be one and the same body or society; whereas they are two very distinct ones in their original, in their nature and constitution, in the ends they aim at, and in the different means by which they pursue their several ends; as is already declared by way of antithesis in the end of the first letter. So that the monster disappears, when we shew two formally distinct bodies or societies, to fix the two heads upon.

The same company of men considered as citizens, are a civil society, subject to the king or queen, who is to them, under God, the head, principle and source of all political state-unity, government and influences: But the same men considered as Christians, are a church society, subject to their bishop, who is to them, under Christ, the head, principle and source of all spiritual church-unity, government and influences.

I hope then, sir, it is beyond doubt, that the same number of men may be formed into two formally distinct societies, of different natures and denominations, under their distinct heads, or influencing governors: They are the same men, the same company of men, *quatenus* men; but the different instituted habitudes and relations they stand in to the sacerdotal and regal sovereigns, in their vastly different affairs spiritual and secular, do justly entitle them, singly and jointly, to different characters and denominations. Yea, sir, in purely temporals, the same number of men may be of two different societies or companies, as of the South-Sea Company, and of the East-India Company, which have distinct charters and governors, independent of each other.

Obj. "There cannot, there ought not to be two such independent powers in the same nation; because they are apt to clash and interfere about the same things, to issue forth contrary commands to the same persons, or enjoin them different things at the same time. And³ can it be supposed, say they, that God, who is the God of order, and not of confusion, would ever involve us in such inextricable difficulties?"

Ans. 1. The commissions of the bishop, and the king or queen, are so different in kind, and for so different ends and purposes, that they can never clash: They are like two parallel lines that can never meet to cross each other; and consequently, if these hierarchical and secular potentates did act within the bounds of their proper respective commissions, they could never jostle, thwart, or interfere with each other; nor could the people be harassed with contrary injunctions: Then would the priests⁴ "Put the people in mind to be subject to principalities and powers," to obey magi-

¹ 2 Sam. xii. 8—12. Isa. xxx. 33. Jer. xxii. 23, &c. ² Rights of the Christian Church, &c. Part 1. ed. 2. p. 35. Rights, &c. p. 35. Tit. iii. 1.—*Orig. Notes.*

trates; then would kings¹ be "Nursing fathers, and queens nursing mothers, to the church."

2. If both church and state magistrates firmly believed, that neither of them receives his commission and authority from the other, but both from a power that is superior to them both, who is Almighty to avenge himself on those who will not be determined by his orders; then would they view their respective commissions oftener, and be afraid to exceed; then would neither of them be as a bundle of briars to one another, or to the people under them; then would such awful impressions be made on each of them, as no haughty ambition, pretended reserves, or temporizing salvoes, could ever erase.

3. Suppose, that in such an independent constitution of church and state, the ecclesiastical and secular princes should transgress the limits set them, and stretch their line beyond its measure, as has been, and may still be done; yet this is no argument against fact, that they are not so constituted: Nor is it a proof, that such a constitution should be sapped and blown up. The independent constitution is not in fault, but only such governors or others, that break in upon it. Admit then the objected inconveniences and difficulties, there's a remedy.

If bishops or priests, as such, usurp any branch of the regal power, or temporal jurisdiction; the king or queen may, and ought to punish him to the same degree, at least, as he would any other subject, for the like offence.

If secular princes, as such, take upon themselves to execute the priestly office, or any branch of it, in proportion to what² Saul, ³ Uzziah, or ⁴ Jeroboam did, or otherwise in the like cases; then I say,⁵ as a right reverend and learned prelate solemnly preached before the queen some time ago: "There would be a nullity in every thing, that the prince did of this kind, and the priest's duty, in this case, would be, to remonstrate to the prince, in the most decent and respectful terms, the unlawfulness of such an attempt; nay, and to withstand him too, with such a sort of force, as the most dutiful son might use to restrain and hold back his father from running into a fire, or falling into a pit: As the priests of the temple did⁶ when their king went into the Temple of the Lord to burn incense upon the altar of incense; they went in after him, says the text, and withstood Uzziah the king, and said unto him, it appertaineth not unto thee to burn incense unto the Lord, but to the priests, the sons of Aaron, that are consecrated to burn incense: Go out of the sanctuary, for thou hast trespassed, neither shall it be for thine honour from the Lord God."

If, sir, the temporal sovereign shews himself inflexible, and will not be restrained by such remonstrances, but continues his encroachments; and even proceeds from bad to worse, until he becomes an original in such sacrilegious impieties: Though his subjects, of what rank or quality whatsoever, cannot upon pain of damnation commence any hostile resistance against him, or politically punish him; yet the Great God, King of kings, to whom alone he stands accountable, will not fail to vindicate the honour of his own institutions at the great day of final decision, if not before, as in the case of King Uzziah.

If the civil and ecclesiastical governors be supposed to command contrary or different things, and so to lay the same persons, subject to both these powers, under contrary or different obligations: Certainly, sir, in such a case, one of them is in the wrong, and abuses his power.⁷ But is it reasonable, from a just dislike of the abuse, to infer an equal dislike of the right use? The subject's duty is plain, without casting off either his ecclesiastical or civil governor. The head-ache may be cured without cutting off the head: For,

¹ Isai. xlix. 23. ² 1 Sam. xliii. 9. ³ 2 Chron. xxvi. 16.

⁴ 1 Kings xii. 31. and xiii. 33.

⁵ Bishop of Exon's Sermon before the Queen at St James's, March 3, 1703. on Rom. xiii. 4. p. 13. 8vo. and published by her Majesty's special command.

⁶ 2 Chron. xxvi. 16, 17, 18.—*Orig. Notes.*

If the matter about which they give out such cross orders, be ordered and determined by the divine law, either directly, or by right consequence; then such direction is to be peaceably observed, whosoever he be that opposes it.

If the matter about which they are supposed to issue forth such cross orders, be indifferent in itself, which does no otherwise oblige, but as it is commanded by a lawful authority, that has power to determine us in such circumstances; then it either relates to civil affairs, or to ecclesiastical.

If this indifferent matter relates to civil affairs, then I humbly conceive, that the bishops and pastors of the church, as such, would be altogether in the wrong, to countermand their prince's injunctions: And he might by secular force oblige them to desist, punishing them as usurpers of civil authority.

If such indifferent matters relate to ecclesiastical affairs, which the hierarchical powers judge to be needful for the better and more regular administration of the holy offices, and the external polity of the church; then, a good king or queen, in any country, whose understanding has been duly informed by his spiritual instructors, will not attempt to thwart the sacred college in such matters; but will rather, as he is politically concerned in them, ratify them by his civil sanction. But if the supreme civil magistrate, in whose breast are the *Arcana Imperii*, thinks fit to advise, or politically to command his governing clergy to alter, or to add to, or diminish from such indifferent matters, as being most conducive to the publick peace; then the loyal clergy throughout the world know it to be their duty, as to suffer under, rather than to rebel against their king commanding sinful things; so to obey him in all things lawful and not contrary to the divine law, as things in their own nature indifferent are acknowledged to be.

Objection. St Paul appealed from the church to the state, from the high-priest's tribunal to Cæsar's: Which clearly shews, say they, that in St Paul's judgment, the matter should depend upon the crown.

Answer. St Paul appealed not from an ecclesiastical tribunal to Cæsar's in proper church matters. The Jews had combined ² to murder him; but being ³ happily disappointed, they pursued his life in the Roman courts; and knowing well enough that the Roman deputies reckoned not any accusation relating to the Jewish religion to be a matter worthy ⁴ of death or bonds; they therefore principally charge him with ⁵ sedition, a capital crime, not doubting thus to work their point. But the Jews not being able to prove their charge against him, ⁶ either before Fœlix, governor of Cesarea, or ⁷ before Portius Festus, who succeeded him; and yet St Paul observing the partiality of Festus, that he was deliberating to throw ⁸ him into the snares of those men who thirsted after his blood, he appealed from the partial Festus to Cæsar, from an inferior to a superior civil judge, as is ⁹ manifest, and not from an ecclesiastical to a civil judge. And indeed, sir, those who say, St Paul appealed to an heathen emperor in causes formally ecclesiastical, must have a very mean, or a very malicious opinion of him, in endeavouring to brand him with such a ridiculous action, as referring his Christian faith to the decision of an infidel prince; or appealing from the church to one without the church, in matters properly and formally religious.

If, sir, the case be put in Christian countries, our adversaries scheme does quite subvert the notion and nature of an appeal: For an appeal is always from an inferior to a superior judge, in *eadem serie*, in the same nature and kind of judicatures, and not in different.

If it be supposed, that one is highly injured by the church governors, and relief be asked, I conceive, sir, that we ought to distinguish between a complaint and an ap-

¹ Acts, xxv. 11.

² Acts, xxiii. 12.—xxv. 3.

³ Acts, xxiii. 23, 24.

⁴ Acts, xviii. 14, 15,

16. and ch. xxiii. 29.

⁵ Acts, xxiv. 5.

⁶ Ibid. ver. 12, 13, 18.

⁷ Ch. xxv. 7.

⁸ Ch.

xxv. 9. compared with ver. 2, 3.

⁹ Ibid. ver. 10, 11.—*Orig. Notes.*

peal, and say, that if the church governors should at any time so proceed against common justice, as to censure a person unheard, or before conviction, either by confession, or by sufficient witnesses; which yet, by the way, I think is a very uncharitable invidious supposition: And if this person be affected in his civil rights, by intervention of the secular laws, then the injured person may complain to the secular prince; who in view of rescuing his subject from temporal difficulties, may effectually oblige the ecclesiastical judges to re-consider the case.

Objection. The independence of the church upon the state in its pure spirituals, is an odious presbyterian doctrine; and therefore away with it. At this rate speaks a modern ¹ author.

In answering this terrible charge, I will, 1. shew, that supposing it were maintained by the presbyterians, it is not therefore merely upon that account to be rejected. 2. That there is a great difference between the presbyterians and us, as to this doctrine: And, 3. That there is a greater, yea a thorough disagreement, in the application of it.

1. Though the point in hand were a favourite of the presbyterians, we must not *eo nomine*, only for that reason, cashier it. There are few or no sects so abandoned to error, as not to retain some truths, which we ought not to discard or reverse. He must be a very infidel, that would deny the ever-glorious doctrine of the Trinity in Unity, because the presbyterians embrace it.

And here, for information's sake, I beg leave, sir, to propound a few queries.

Qu. 1. Setting aside the new word Transubstantiation, and the gross corporal presence being excluded, I ask, Whether the clergy ought to strike this expression out of our Catechism, the body and blood of Christ, which are verily and indeed taken and received by the faithful in the Lord's Supper? Because Mr Calvin, the father of the presbyterians, most deliberately ² affirms, "That the true substantial body and blood of Christ is exhibited to, and received by the faithful, in the Lord's Supper: That they receive it not by imagination only, or by mental understanding; but do enjoy it really and indeed, &c. That ³ that body and blood of Christ, in which he fulfilled all obedience to procure righteousness for us, is truly given to us; whereby first we should become one body with him, and then being partakers of his substance, may feel his power in communicating all his benefits."

Must we be obliged, sir, to say, that in this point of the real presence there is more than a modal difference, or more than a difference as to the manner of its being there, between us and our adversaries, because the same Calvin says that ⁴ there is no more?

Must we expunge the abovesaid sentence out of our catechism, because a Scotch ⁵ presbyterian catechism, which I had the honour to see in the honourable Mr Archibald Campbell's curious library, teaches as follows? I will not deviate from the original so much as to alter the spelling. The rubrick or title runs thus:

Christis naturall Bodie is receaved.

"*Question.* Then we receave onlie the tokens, and not his bodie?"

"*Answer.* We receive his very substantial bodie and bloode.

¹ New High Church turned old Presbyterian. *Utrum horum.* London, printed 1709. p. 6. ² Ceterum his absurditatibus sublatis, quicquid ad exprimendam veram substantialemque corporis ac sanguinis Domini communicationem, quæ sub sacris cœnæ symbolis fidelibus exhibetur, facere potest; libenter recipio: atque ita ut non imaginatione duntaxat aut mentis intelligentia percipere, sed ut re ipsa frui in alimentum vitæ æternæ intelligantur. *Calv. Institut.* l. 4. c. 17. § 19.

³ Dico igitur, in cœnæ mysterio per symbola panis et vini, Christum vere nobis exhiberi, adeoque corpus et sanguinem ejus, in quibus omnem obedientiam pro comparanda nobis justitia adimplevit: quo scilicet primum in unum corpus cum ipso coalescamus; deinde participes substantiæ ejus facti, in bonorum omnium communicatione virtutem quoque sentiamus. *Calv. Inst.* l. 4. c. 17. § 11.

⁴ Ergo tantum de modo quæstio est. *Ibid.* § 31. ⁵ A short Summe of the whole Catechisme, &c, gathered by Mr Johne Craig, Minister of God's Worde, to the King's M. Imprinted at Edinburgh, by Henrie Charteris. Anno. M.D.LXXXI. Cum Privilegio Regali.—*Orig. Notes.*

" *Qu.* How can that be proven ?

" *An.* By the trueth of his wordes, and sacrament.

" *Qu.* Declare that by the sacrament.

" *An.* As that naturall substance of the elementis is giuen, even so the naturall substance of Christis bodie.

" *Qu.* But his naturall bodie is in heauen.

" *An.* No dout, but yet we receaue it on earth.

" *Qu.* How can that be ?

" *An.* By the wonderful working of the holie spirit."

Qu. 2. Mr Richard Baxter says, ' " What objective presence to the senses, eyes and ears, of those that heard Christ and his apostles, and saw their miracles, was to the first converts in those times, that partly tradition is to us, or the necessary medium. The words could not come down to us, without some to deliver them: And we have, says he, the Bible by tradition." Now, sir, I desire to be resolved, whether we are obliged to deny all this, only because a presbyterian rabbi asserts it ?

Qu. 3. A provincial assembly of presbyterian preachers, arguing against the sectarian congregational independents,² affirms, and³ largely proves, that the English diocesan bishops and ministers are true, and not antichristian. Shall we, sir, deny, because they, though self-condemned, affirm this ?

Qu. 4. The same presbyterian provincial assembly declares to the world,⁴ that popish ordination and baptism are sound for the substance:⁵ That the ministry passing to us through Rome is as valid as the scriptures, sacraments, or any other gospel ordinances which we now enjoy; which, say they, do all descend to us from the apostles through the Romish church: And that the false worship, &c.⁶ of the church of Rome does not unchurch her.

Now, sir, I desire to be exactly informed, Whether we must reject these positions, because embraced by presbyterians? and then, Whether rejecting them as false, would not sap the foundation of the reformation ?

Qu. 5. Whether ought we to deny the being of⁷ the holy catholick church, and the necessity of the communion of saints therein, or the necessity of being in her bosom, in order to obtain pardon and salvation, because Calvin, the patriarch of the presbyterians, says so? And is it, sir, a presbyterian error to affirm, that the church is but one, or, as Calvin says,⁸ " That it [the church] is called catholick, or universal, because we cannot find two or three churches, but that Christ must be torn asunder, which is impossible?"

Qu. 6. Must this assertion,⁹ " We are assured that truth shall always abide with us, so long as we are kept in the bosom of the church, be rejected, because Calvin held it?" Must this position be cashiered, that though the catholick church, which knows but in part, may err in some things, yet cannot fall into fundamental, mortal, and incurable errors, such as would take away the name and nature of a true church, and destroy the body of Christ; seeing he has promised, that the¹⁰ gates of hell shall not [so] prevail?

But, 2. There is a great difference between the presbyterians and us, as to the doctrine of independency in hand; for, though they deny their church power to depend upon kings, yet, I appeal to their conscience, would not they have the power and

¹ Full and easy Satisfaction which is the true and safe Religion. London, printed 1674. p. 22.

² Jus Divin. Minist. Evang. Part 2. p. 27, 28.

³ Ibid. p. 30, 31.

⁴ Ibid. p. 43. and 41.

⁵ Ibid.

⁶ Ibid. p. 42, 43. ⁷ Extra ejus [Catholicæ ecclesiæ] gremium nulla est speranda peccatorum remissio, nec ulla salus. *Calv. Instit.* l. 4. c. 1. § 4.

⁸ Ideo Catholica dicitur seu universalis [ecclesia] quia non duas aut tres invenire liceat quin discerpatur Christus, quod fieri non potest. *Ibid.* l. 4. c. 1. § 2.

⁹ Accedit, quod veritatem, dum in Ecclesiæ sinu continetur, semper nobis constaturam, securi sumus. *Ibid.* § 3.

¹⁰ St Matthew, xvi. 18.—*Orig. Notes.*

very being of kings to depend upon themselves? Will they do any right, or take any wrong in this case, when 'tis in their power to do otherwise? Let former days answer. Have they not extended their pretended ecclesiastical power to purely secular matters, and taken upon them to sit as judges in point of common trade and commerce? Did they not by an act of assembly at Dundee, 1592,¹ prohibit the Scots trading with any of the King of Spain's dominions? When the King of Scotland commanded his citizens of Edinburgh to treat the ambassadors of the French king at a splendid dinner 1581, did not they command a fast on the same very day,² as the author of the Right tells us, when he perversely attempts to turn that gross disloyalty into an argument against us? Have they not over-ruled acts of parliament³ by acts of their assembly, and hooked in every thing under their cognizance *in ordine ad spiritualia*? Don't they add the temporal to their pretended spiritual sword? and have they not upon principle fought against their king, and at last murdered him, to advance their new ill-formed discipline? Do not their parliament sermons, in the years of their great rebellion, abundantly declare this? And does not their present dear doctrine of resistance shew that they are no changelings, and that their former bloody principle scorns a revolution?

On the contrary, sir, our doctrine is, that Christ's kingdom, the church, is⁴ not of this world, and so claims not any power of determining state-matters; it entrenches not in the least upon the regal potentates, but strenuously maintains, that our kings and queens hold their crowns independent of any but God: Hence is the motto, *DIEU ET MON DROIT, God and my Right*: Hence is *DEI GRATIA* stamp'd on our coin, as the emperors had upon theirs a hand coming out of the clouds holding a crown, and placing it on their heads. I [not the clergy, or laity, or both] have said,⁵ Ye are Gods. They are children not of the most voices, but of the Most High: They are the Lord's anointed, and not the people's. And, sir, the asserters of this doctrine are so far from supplanting or vexing kings, that in case they oppose the clergy in the discharge of their purely spiritual offices, such clergy is taught to use no other arms but prayers and tears, to attempt no methods but what are purely spiritual. They chuse rather to suffer wrong, than to do it: They know, that as in some cases 'tis necessary not to obey, so in all cases 'tis necessary not to resist their king or queen in an hostile manner, as the presbyterian doctors of resistance have done.

3. Though the presbyterians and we were agreed in this doctrine of church independency, as you see, sir, we are not; yet still there's a thorough disagreement between us, as to the application of the doctrine.

We say, that our blessed Lord committed the authoritative administration of his spiritual kingdom, the church, to his apostles and their successors the bishops, as his vicegerents unto the end of the world, as appears by⁶ their commission.

'Tis certain that the apostles exercised a power superior to all the other officers of the church; and it were absurd to imagine, that the institution of that order of persons, who were to be church governors, and the general methods of government then settled and ordinarily practised by the apostles, should be only local, personal, and temporary, like some dials and almanacks, calculated only for some special meridians: For at this bold rate, audacious men might dispute the other evangelick institutions out of the church, and say, that they were to continue only for one age.

We have, sir, as certain an account of the succession of this supreme ecclesiastical order of bishops to the apostles, in the greater churches, as Jerusalem, Antioch, Rome, and Alexandria; and that in the earliest times, in which alone the presbyterians doubt of it; as we have of the succession of our English bishops, even from the Reformation: Yea, sir, the government of the church by bishops having presbyters and dea-

¹ Archbishop Spotswood's Hist. p. 393. Cited by the author of Toleration Discussed, &c. printed at London, 1670. p. 399.

² Rights, &c. Part 1. Ed. 2. p. 34.

³ Spotswood's Hist. p. 418. Cited in Toleration

discussed, p. 321.

⁴ St John, xviii. 36.

⁵ Psal. lxxxii. 6.

⁶ St Matt. xxviii. 18, 19, 20.

cons subjects to them, has, in consequence of Christ's promise, descended with the other fundamentals of Christianity, and with the same evidence through all ages, and in all places, where the Christian religion has extended itself.

On the contrary, sir, the presbyterians have, in direct opposition, rebelled against, and rejected the supreme ecclesiastick order and authority of bishops, to whom Christ committed this independent church power: And not only so, but have usurped and sacrilegiously applied it to themselves; and so have, as much as in them lies, overthrown the original unalterable divine constitution of the catholick church, and effectually thrown themselves out of it.

These presbyterians, and the other sectarians, sprang out of their bowels, though they were exactly right in this doctrine of the church's independency in spirituals upon the crown, as they are not; yet they would have no right to apply it to themselves, or to put in a claim against the encroachments of any secular potentates; because they have neither succession nor ordination, neither bishops, priests, nor deacons, without which there can be no church. They have no portion of spiritual power derived to them from Christ, having cut themselves off from the rightful successors of the apostles, whom the blessed Jesus sent, as his Father sent him; and consequently, they have no reason to expect that God should ratify any thing in Heaven which they pretend to act on earth, in their usurped exercise of independent spiritual authority.

I am aware, sir, that such suggestions as these are called very uncharitable, by the gentlemen of latitude, who seem to have forgot the true notion of the church, the *peculium* and Christian priesthood. What? To unchurch such great numbers, and involve them in all the dreadful consequences! How uncharitable, say they, besides the affront put upon the secular potentates that tolerate and countenance them.

But, sir, all this will vanish by considering, that nobody excludes them from the catholick church, but themselves: That 'tis by their own act, in rejecting the church's government and governors by divine institution, that they cut themselves off from the church, and forfeit those spiritual privileges annexed to its communion. And, sir, when people openly and avowedly reject an instituted fundamental of church government, and yet claim church privileges, and among the rest, independency upon the crown in spirituals; 'tis no ways uncharitable, openly to tell them of it, let their numbers be ever so great: For great numbers in a gross fundamental error, don't extenuate, but aggravate the fault, and loudly demand us to oppose it, in charity to their persons.

As to their pretence of our affronting the secular potentates, who, they say, do tolerate and countenance them in their independent church power. This, sir, is a mere bug-bear: For those princes have nothing to fear from men of unconditionally loyal principles, without reserves or salvoes. Besides, sir, however the civil sovereign may permit rebels against the episcopal order amongst us, as God Almighty permits the devil to run to and fro in chains, to exercise the faith, patience and courage of his people; yet it would be impious to suppose, that any king or queen who is entirely for episcopal church government, should heartily approve a rebellion against it. Hence it is, that the act of exemption from the penalties of certain laws, in favour of the English dissenters, commonly, but improperly called the act of toleration, looks upon them as no part of the catholick church, in that it expressly calls the orders of their dissenting teachers, pretended holy orders; which is to condemn them as effectually, as the state can do in church cases: For,

'Tis most certain, that pretended holy orders are not true real holy orders, and what is not true real holy orders in England, cannot be so in any other part of the world; and such as have no true real holy orders, cannot authoritatively administer the holy offices, and there is no church state, where no due care is taken for such administrations: And consequently, our dissenters having taken no care for better orders than they had, when the act of exemption passed in their favour, are in the declared sense

of that act, no church; and so have no power to conduct the purely spirituals, independently on the crown; nor should they pretend to it.

If any unwary members of the church of England do abet the presbyterians pretensions to a church state, as indeed they boast of having many such friends; I would put a few queries to the abettors.

Query 1. When did this presbyterian anti-episcopal pretended church commence? In what age? Whether in the apostles' time, or how long since? Let them produce the originals of such a church, and the epocha of the succession of their ministers?

Qu. 2. Let them shew us, in what part of the world there was ever any visible church of their anti-prelatick stamp and discipline, applied to, and distinguished from other sects of Christians, for the first fourteen hundred years after our Saviour?

Qu. 3. If their church has subsisted all that time in a state of invisibility, unknown to all the world besides themselves: Let them demonstrate this unto us? They are under no persecution, the secret may be divulged.

Qu. 4. Supposing the presbyterians could demonstrate this, which is yet impossible; how can they reconcile such an invisible state of their anti-prelatick church, with our Saviour's veracity, when he said ¹ "Lo I am with you alway, even unto the end of the world." And that ² "The gates of hell should never prevail against his church?" How can they reconcile their invisible circumstances with our Saviour's speaking of his church, as a "City set ³ on a hill, that cannot be hid?" And as a society that should always be applied to, seen, heard and understood? He ⁴ [whosoever he be, and what time soever,] that will not hear the church, "Let him be unto thee as an heathen, &c."

In a word, sir, if they be Christ's church, a succession of whose pastors, as the principle of unity to the church, is perpetually guarded by his promise; else it had been the most precarious uncertain thing in the world: Then,

Qu. 5. Whether the presbyterians can deduce the uninterrupted mission and succession of their ministers, from the apostles' times, through all ages, to this very day?

If, sir, it be impossible for them to do this, as certainly it is, then they have no bishop, no priest; without whom, as ⁵ St Ignatius, co-temporary with the apostles, says, there cannot be so much as the name of a church: And if so, they have no right to claim or to exercise any church power; for, as St Cyprian says of the schismaticks in his days, ⁷ they succeed to no body, by whom they can derive such a power, but proceed from themselves, and are the original of their own authority: Which is in effect, to be lamentably independent upon Christ himself.

Thus you see, sir, with how little reason 'tis objected to episcopalians, that the independency of the church, in its purely spirituals, upon the state, as above explained, is a presbyterian doctrine; seeing we so vastly differ from them in the doctrine itself, and totally in the application of it: The difference, at least, being as great as was between the royalists and the rebels in another case, when the rebels applied the substantial of regal sovereignty to that execrable tyrannical usurper, Oliver Cromwell.

But, sir, this is not all: the author of the Rights, &c. pursues this doctrine with a more terrible

Objection. "The independence of the church, in its purely spiritual administrations, upon the state, is a popish doctrine;" as that gentleman says expressly in a great many places of his book; or to the same purpose.

Answer 1. 'Tis too well known, sir, that the word popery, which always excites the utmost resentment of Englishmen, has been often cunningly misapplied to the most

¹ St Matth. xxviii. 20.

² Ibid. xvi. 18.

³ Ibid. ch. v. 14.

⁴ Ibid. ch. xviii. 17.

⁵ Eph. iv. 8, 11, 12, 13. St Matth. xxviii. 20.

⁶ Χαρις πάντων ἐκκλησιᾶς ἐκκαλεῖται. Ignat. Ep. ad Tra-
lesios. Oxon. Edit. 1708. p. 82.

⁷ Succedunt nemini, a seipsis orti.—Orig. Notes.

primitive truths, to serve a turn :¹ The Trinity,² infant baptism,³ the immortality of the soul, and ⁴ an ordained ministry have been, and are still called popish, by such as formerly had, and still have a mind to extirpate these doctrines.

In the beginning of the great Rebellion, when they were contriving ⁵ Root and Branchwork, popery was the word perpetually sounded in the people's ears, to engage them to lay to an axe. "⁶ He" [the venerable Archbishop Laud] said the then great speech-maker, "pleads fair for a patriarchate—He pleads popeship under the name of a patriarch : And I much fear," said he, "lest the end and top of his patriarchal plea may be as that of Cardinal Pope his predecessor, who would have two heads, one, *caput regale* ; another, *caput sacerdotal* : A proud parallel, to set up the mitre as high as the crown." Thus that manager. The artists in levelling alarmed the people with a continual cry of Popery, popery ; as a sort of witchcraft, to scare them from every thing which they were pleased to persecute with that frightful sound.

2. Supposing, but not granting, that this doctrine, as above explained, were exactly asserted by the Romish church : I pray, sir, to be satisfied in the following queries.

Qu. 1. Is it reasonable to reject any doctrine that the church of Rome teaches, only because she teaches it, without further enquiry into the merits of the cause ? Must we turn infidels, in pure spite to those of the Roman communion ? They maintain the Apostles' Creed, must we therefore reprobate and discharge it ? Are there not, sir, a great many things that the papists say and hold, which are no superfæuations of popery, but genuine branches of true Christianity, which may be said *in terminis* by protestants, and yet they never a whit the worse, but much the better ?

Qu. 2. Must we be obliged entirely to reject the following points, without explication, because the church of Rome literally asserts them, though she too often adds erroneous superstructures which we disown, and most uncharitably differs from us as to the beneficial application of the uncontroverted truths ; whilst she, though but an unsound part of the catholick church, does most unjustly call herself the whole catholick church, and doctrinally engrosseth the saving benefits of all revealed truths and ordinances to herself, exclusive of us ; which we do not, exclusive of her ?

I desire, sir, that to avoid misunderstanding, as well as to prevent repetition, you would be pleased to keep in mind the contents of the second query, while you read the four immediately following.

Qu. 3. Whether it be a popish error to assert an uninterrupted lineal succession of bishops and priests, in virtue of our Saviour's ⁷ promise, as essentially necessary to his church ; because papists speak to the same effect ? And hence, Whether the doctrine of the perpetual visibility of the catholick church from its very beginning to the consummation of all things, though as to some parts or particular members of it, obscured for a time, be a popish invention, because the papists assert the same ; though they most unjustly apply it only to themselves ? Was Bishop Jewel in the wrong for saying, that "⁸ the general or outward church of God is visible and may be seen." Was Dr Ri. Field infected with popery, for affirming, that "⁹ it cannot be but they that are the true church, must, by profession of the truth, make themselves known, in such

¹ Mysteries discovered by Paul Best, 1647. p. 5, 11. Cited in a Testimony of the Truths of Jesus Christ, &c. Printed 1648, and subscribed by 52 Presbyterian Ministers, p. 6, 7.

² Vanity of Childish Baptism, Part 2. p. 30. Cited Ibid. p. 18. ³ Man's Mortality. Printed 1643. p. 56. Cited Ibid. p. 19, 20. ⁴ De Laune's Plea, &c. recommended by D. Foe. 1706. p. 21, 22.

⁵ A Collection of Speeches made by Sir Edward Dering. Lond. Printed 1642. p. 73. ⁶ Ibid. p. 8.

⁷ St Matth. xxviii. 20. ⁸ The speech was made in the House of Commons, November 23, 1640. ⁹ Defence of the Apology of the Church of England, &c. Lond. printed 1571. p. 428.

¹⁰ Lib. 3. p. 19. Cited by Richard Montague in his Appello Cæsarem. A just Appeal from two unjust Informers, Lond. printed 1625. p. 137. This book was approved and licensed by Dr Francis White, Dean of Carlisle, as agreeable to the doctrine, faith, and discipline established in the church of England. Feb. 15, 1564. See from p. 132, to p. 140. of Montague's Appeal.—*Orig. Notes.*

sort, that by their profession and practice, they may be discerned from other men?" Whether it be not an impeachment of the divine veracity, power, and goodness, to say, that the catholick church mentioned in our creed, ever was or can be reduced to an invisible state, so as not to be seen, heard, or publickly understood: Forasmuch as her sovereign king, her rock and protector, has in that as well as other respects, engaged his omnipotence in opposition to the gates [the utmost power and policy] of hell: And in consequence of that, has, in the case of offences, left a perpetual standing rule, "Tell it unto the church, and if he neglect to hear the church, let him be unto thee as an heathen and a publican?"

Qu. 4. Whether, sir, we are obliged to deny, because those of the Roman communion, though by gross misapplication of it only to themselves, do affirm, that the Holy Scriptures are committed only to the one catholick church, as ¹ guardian and keeper of them, and that the truth is only to be sought and ordinarily found there; all out of her having lost all right and claim to those spiritual treasures, privileges and benefits; whatever they may pretend to the contrary? Whether, sir, this article of the church of England, ² the church hath authority in controversies of faith; Whether the exposition of the catholick church, or apostolical universal tradition, as being the best comment upon the Holy Scriptures, the best guide in any doubtful matters, must be arraigned; because the papists do in general terms say the like, though differing from us in particular application? Whether some things in St Paul's writings, ³ hard to be understood, ⁴ "Don't make the early histories and practices of the church, not only lawful, but necessary explainers of such places of Scripture? Whether ⁵ (in the case of Arius) the Bishop of Alexandria's question put to the other bishops in synod, Which of you ever heard such things? was not a proper method to find out any heresy or novel doctrine, and to know the catholick doctrine which had been universally received? Whether the universal church in all ages, though she has no power to impose any new article of faith, be not yet a competent sufficient witness, what that doctrine and faith is, which was once delivered to the saints?

Qu. 5. Whether, as the present Bishop of Sarum says, it would not have been ⁶ a sullen and childish peevishness to have changed the formal words used in the imposition of hands, receive the Holy Ghost, because it was used in the church of Rome?

Qu. 6. Whether we must expunge a collect out of our liturgy, and renounce the guardianship of angels ⁷ their succouring and defending us on earth, their kind and constant care for the children of God, because those of the Roman communion thankfully acknowledge their assistance?

But, 2. Our doctrine concerning the distinction between the mitre and the crown, and the independence of the church in its purely spiritual administrations, upon the state, is not the same with, but vastly different from, the papal doctrines concerning them.

1. The papal doctrine about this point is, that the pope is the primary subject of purely spiritual church power; yea, that the episcopal power ⁸ is wholly in the pope, as its source, who shares out to the other ecclesiasticks, as his delegates only, such degrees of it as he pleases to communicate from his pretended sovereign plenitude: Diego Lainez, general of the Jesuits, openly declared this in the council of Trent, in an oration which he then solemnly made against the divine rights of bishops. We

¹ 1 Tim. iii. 15. ² 2 Tim. i. 13. * Article 20 of the Church of England. ³ 2 Pet. iii. 16. ⁴ See Queries to the Presbyterians of Scotland, by a gentleman of that country. Printed for George Strahan, at the Golden Ball against the Royal Exchange, 1702. p. 1. ⁵ Ibid. p. 12. ⁶ Vindication of the Ordinations of the Church of England, by Gilbert Burnet [now Bishop of Sarum.] London, printed for E. H. and T. H. for R. Chiswel, at the Rose and Crown in St Paul's Church-yard, 1707. Pref. ⁷ St Michael and All Angels. ⁸ Card. Palavicini's History of the Council of Trent, l. 2. c. 13. and l. 4. c. 12. Cited by the author of the New Politick Lights of Modern Rome's Church Government. Eng. Edition, 1678, p. 84, 85.—*Orig. Notes.*

say, on the contrary, that every bishop has a divine right, that the college of bishops is the subject of the power of the keys; that, as the reverend and learned Dr George Hickes observes,¹ "The care of the catholick church was committed jointly, as well as severally, and in whole, as well as in part, to the apostles and their successors the bishops. In which the government of the church differs from the government of the world."

2. The Pope would have the clergy independent on the state in temporal matters: He exempts the goods and persons of clergymen from the civil justice of the kingdom, and the cognizance of the civil judicatures, and sets up other tribunals vested with power of life and death; which is destructive to the rights of kings. On the contrary, our church disclaims all external force whatsoever; we stedfastly maintain the king's or queen's supremacy over all persons, ecclesiastical as well as civil, in all temporal civil affairs: Yea, that the regal supremacy extends itself not only to all persons, but also to all causes, as well ecclesiastical as temporal, in a purely civil political way.

3. The Pope exalts the mitre above the crown in temporals: He asserts, that kings depend upon him for their crowns, in that he pretends to exterminate or depose them. This deposing doctrine was affirmed by the council of Lateran, c. 3. A. D. 1215, and was practised by six popes successively, during what was called the Holy League in France; of whom every one joined with the League against the king. See the case of the Regale and of the Pontificate. We, on the contrary, do strenuously maintain non-resistance; that it is utterly unlawful,² "Though the king or queen should turn apostate, heretick, or tyrant, to lift up any hand against him, except in prayer to Heaven."

In a word, sir, the independence of the church, as above explained, is so far from being a Papal doctrine and practice, that it is really such an enemy to the Pope's supremacy, as that undoubtedly it must needs be abolished wherever our doctrine takes place. The partition of ecclesiastical power between the mitre and the crown, those degrees of the dependence of the church, in its purely spirituals, upon the state, which are yet in use, were the effects of papal policy to aggrandize the see of Rome, and to usher in the pontificate: For the popes or bishops of Rome, not being content with that primacy of order which was affixed to their sees, *jure ecclesiastico*, grasped at a supremacy and paramount principality of power; but observing that they could neither obtain or support their encroaching super-eminence over all the bishops of the world, without the assistance of the kings of the earth, they confederated with those kings, and by concordats and agreements, formed a partition of the ecclesiastical powers. They were willing to give some share to the kings and secular princes, that they might secure all the rest to themselves, and crush the inherent governing rights of the other bishops. It was, sir, by such policy, that the power of the whole episcopal college was swallowed up by the single see of Rome, to the vast prejudice of the ancient aristocratical and collegiate government of the catholic church. There remains, sir, another terrible thing, which they vehemently urge, as their last struggle for a sinking cause.

Objection. This independence of the church upon the state (as the author of the Rights, &c. frequently urges in his preface) is contrary to the laws of the land, to the regal supremacy established at the Reformation, by act of parliament, at the request of the clergy,³ as this author says, and penned in the very words of their petition.

Answer. 1. Supposing, but not granting, 1. That acts of parliament were contrary to this doctrine, yet if it be, as explained in this and my former letter, agreeable to the irrevocable acts of Christ and his apostles, as I firmly believe it is; then there is a very safe question upon sacred record in such a case: "Whether⁴ it be right in the

¹ The Christian Priesthood Asserted, &c. Edit. 3. 1711. p. 211.
² Prefatory Discourse, in Answer to the Rights, &c. Edit. 3. p. 187.

³ Acts. iv. 19.—*Orig. Notes.*

⁴ The Reverend Dr George Hickes's
 Rights, &c. Pref. p. xxxvii.

sight of God, to hearken unto men more than unto God?" I hope, sir, you will judge, that if the heavenly and any earthly throne should fundamentally differ in their commands; active obedience were due to God Most High, while you would pay a passive submission to the secular powers, and with a great and stedfast mind bear the punishments inflicted by them.

2. Supposing, sir, that, as the present Bishop of Sarum says,¹ "The extreme of raising the ecclesiastical power too high in the times of popery, had now produced another, of depressing it too much:" And, sir, supposing it to be true, as the same bishop says,² "That there is a defect [of some part of godly discipline] in our church, which she confesses in her office of commination, and wishes [what is defective] may be restored." In view of these two quotations I beg leave, sir, humbly to offer the following queries.

Qu. 1. Whether it would not be most undutiful to imagine, that our supreme civil governors successively, would deliberately and authoritatively command us to bemoan the want, and wish the restoration of any part of primitive godly discipline, which yet they are unwilling to permit or promote, even though themselves from time to time join in the same lamenting wish?

Qu. 2. Whether any thing that a church has disused, and wishes to be restored, can ever take place in what the Bishop of Sarum calls a depressed state of ecclesiastical power?

Qu. 3. Whether the clergy in any country ought in this supposed depressed state, (but confessed as such by the Bishop of Sarum) decently to represent the matter to the secular powers, and most humbly entreat a redress of the grievance?

Qu. 4. Whether the bishops and clergy, as being³ inspectors and instructors of Christ's flock, in which certainly Christian princes are eminently included, can be⁴ free from their blood, if they declare not unto them⁵ the whole counsel of God, so far as they know it?

Qu. 5. Whether it would not be a most impious reflection upon any Christian supreme civil magistrate in any country, to suppose, that being sufficiently apprized of the merits of the cause, by those who are established by the laws of God and the land to instruct them in the spirituals, they would continue the least depressing encroachment on the ecclesiastical powers?

Qu. 6. Supposing any secular prince abroad, for there's no fear of it at home, should oppose the clergy in their humble and just desires of enjoying the *jure divino* extent of their ecclesiastical power, in every branch of its purely spirituals, according to the scriptures, the practice of the primitive church, and the rules of expediency and reason; whether or not the Right Reverend and Learned Bishop of Sarum's determination is fit to be followed?⁶ "The prelates and other divines," says the bishop, "that compiled our forms of ordination, did it by virtue of the authority they had from Christ, as pastors of his church, which did empower them to teach the people the pure word of God, and to administer the sacraments, and perform all other holy functions, according to the scripture, the practice of the primitive church, and the rules of expediency and reason." "And this they ought to have done," says the Right Reverend Bishop of Sarum, "though the civil power had opposed it: In which case, their duty had been to have submitted to whatever severities and persecutions they might have been put to, for the name of Christ, or the truth of his gospel." Thus that learned prelate.

¹ Bishop Burnet's History, Vol. ii. p. 49, 50. Cited by the Reverend Dr Francis Atterbury, Dean of Christ Church, and Prolocutor of the present Lower House of Convocation, in his Rights, Powers, &c. of an English Convocation, p. 112.

² A Vindication of the Ordinations of the Church of England. London, printed 1707. Pref.

³ Acts, xx. 28.

⁴ Verse 26.

⁵ Verse 27.

⁶ Vindication of the Ordinations of the Church of England, &c. by Gilbert Burnet. London, printed 1707. p. 53, 54. Cited by Dr Francis Atterbury, Prolocutor of the Lower House of Convocation, in his Rights, Powers, &c. of an English Convocation, &c. p. 195.—Orig. Notes.

3. This doctrine of independence of the church, in its purely spirituals, upon the state; this definition of the mitre and the crown, is not contrary to the act of supremacy, as it has been, and still is qualified and explained by our kings and queens, and in convocations called by them, or writers authorized by them.

The Right Reverend Bishop of Sarum excellently instructs us in this point.' "In King Henry the Eighth's time," says the bishop, "the extent of the king's supremacy was defined in the necessary erudition of a Christian man, that was set forth as the standard of the doctrine of that time; and it was upon this that all people were obliged to take their measures, and not upon some expressions either in acts of parliament, or acts of the convocation, nor upon some stretches of the king's jurisdiction. In this then it is plainly said, that with relation to the clergy, the king is to oversee them, and to cause that they execute their pastoral office truly and faithfully, and especially in those points which by Christ and his apostles were committed to them: And to this it is added, that bishops and priests are bound to obey all the king's laws, not being contrary to the laws of God. So that here is expressed that necessary reserve upon their obedience, it being provided that they were only bound to obey, when the laws were not contrary to the laws of God. The other reserve is also made of all that authority which was committed by Christ and his apostles to the bishops and priests; and we are not ashamed to own it freely, that we see no other reserves upon our obedience to the king besides these: So that these being here specified, there was an unexceptionable declaration made of the extent of the king's supremacy; yet because the term Head of the Church, had something in it that seemed harsh, there was yet a more express declaration made of this matter under Queen Elizabeth, of which indeed our author hath taken notice; though I don't find he takes notice of the former, which he ought to have done, if he had intended to have represented this matter sincerely to the world, which I confess seems not to have troubled him much. The explanation made by Queen Elizabeth is so express, that even our author cannot find any advantage against the words themselves, but acknowledgeth that they are such general terms, that the article itself may be subscribed by all sides. Since then the declared sense of those general and extended expressions that are in some acts of parliament, is such, that there lies no just exception against it; and since this sense was not only given by Queen Elizabeth, who allowed such as took the oath to declare, that they took it in that sense; but it was afterward enacted, both in convocation and in parliament, and put into the body of our Confession of Faith; this explanation must be considered as the true measure of the king's supremacy; and the wide expressions of the former laws must be understood to be restrained by this, since posterior laws derogate from those that were at first made. So that, according to all this, the king's supremacy doth not give to our princes the ministering either of God's word, or of the sacraments—But that only prerogative, which we see to have been given always to all godly princes in Holy Scriptures by God himself; that is, that they should rule all estates and degrees committed to their charge by God, whether they be ecclesiastical or temporal, and restrain with the civil sword the stubborn and the evil-doers. This is all that supremacy," says his lordship, "which we are bound in conscience to own; and if the latter by the law, or the stretches of that in the administration of it, have carried this farther, we are not at all concerned in it: But in case any such thing were made out, it could amount to no more than this; that the civil power had made some encroachments on ecclesiastical authority; but the submitting to an oppression, and the bearing it till some better times may deliver us from it, is no argument against our

Reflections on the Relation of the English Reformation, printed 1688. Cited by the Reverend Dr George Hickes, in his Prefatory Discourse in Answer to the Rights, &c. Edit. 3. 1711. p. cxlvii, &c.—*Orig. Notes.*

church: On the contrary, it is a proof of our temper and patience, and of that respect we pay to that civil authority which God hath set over us, even when we think that it passeth its bounds.

“So that, upon the whole matter, if the great and unmeasured extent of the papal authority, made our princes judge it necessary to secure themselves from those invasions, by stretching their jurisdiction a little too much; on the other hand, those who have submitted so tamely to the one, have no reason to reproach us for bearing the other servitude, even supposing that we granted that to be the case: And if in the time of our Reformation, some of our bishops or other writers, have carried the royal supremacy too far, either in acts of convocation, or in their writings; as those things are personal matters, in which we are not at all concerned, who do not pretend to assert an infallibility in our church, so their excess in this was a thing so natural, that we have all possible reason to excuse it, or at least to censure it very gently. For as all parties and persons are carried by a bias very common to mankind, to magnify that authority which favours and supports them; so the extremes of the papal tyranny, and the ecclesiastical power that had formerly prevailed, might have carried them too far into the opposite extreme, of raising the civil power too high.”

Upon which he argues two things. 1. “The clergy’s binding themselves never to make any decisions in matters of faith or worship, till they had first obtained the consent of the secular governor. 2. The clergy’s authorizing the secular governor, or those whom he should nominate, to determine those matters in their stead.”

“It is certain, no clergy in the world can make any such deputation; and if any have done it, it was a personal act of theirs, which was null of itself, and did not indeed bind those who made it, it being of its own nature unlawful, much less can it bind their successors.”

Thus, sir, does this learned casuist and prelate, so particularly skilled in the history of our Reformation, defend the doctrine in hand against the invidious attempts of all those, who, destitute of true argument, would be battering it and its votaries with the statutes of Henry the Eighth, and the submission of the clergy then. It is most evident then, sir, that in the days of that king, and afterwards, the regal supremacy was explained into such a sound equitable sense, as is consistent with the spiritual rights of bishops and priests; and that explanation was enacted both in convocation and in parliament, and put into the body of our^a Confession of Faith: And as so explained, it imports no more than what is most readily owned in my stating the question in the first letter, and so leaves the church in free possession of her spiritual powers.

And whereas the author of the Rights says, that the regal supremacy was enacted at the request of the clergy. It is a gross mistake: For, as a reverend and learned divine tells us,² “The clergy was then under great terror,—a præmunire hung over them, when they made their submission, which was about two years before it was enacted by parliament;—they were drawn into a compliance with great difficulty; and threatening messages were sent them by the king before they could be brought to it. There is scarce any one thing done in any of Henry the Eighth’s convocations, of which we have a clearer and fuller account, than of the opposition which the court-form of submission met with from the clergy, before they came up to it.” But supposing the clergy had submitted without struggle, I ask, sir, whether they could alienate from themselves or their successors, those spiritual powers wherewith Christ had peculiarly vested them? Are positive divine institutions alterable either by the mitre or the crown, or both? “If bishops,” says the reverend Dr Sherlock,³ “will not exer-

^a Thirty-seventh Article of the Church of England.

² The Rights, Powers, and Privileges of an English Convocation, &c. By the Reverend Dr Francis Atterbury, Dean of Christ’s Church, and Prolocutor of the Convocation. London, printed 1700. p. 92, 93. Marg. Vid. the whole third Chapter.

³ Summary of the Controversies between the Church of England and the Church of Rome, cited in the case of the Regale and Pontificate, &c. Edit. 2. 1702. Pref. p. 32, 33.—Orig. Notes.

cise that power which Christ has given them, they are accountable to their Lord for it: But they cannot give it away, neither from themselves, nor from their successors, for 'tis theirs only to use, not to part with it: And, therefore," says he, "every bishop may re-assume such rights, though a general council should give them away, because the grant is void in itself." Thus does this reverend dean, in very plain English, teach the successors of those bishops, how to comment upon their involuntary act of submission, and puts them in mind to stand upon the original rights of the clergy, to recover [in a decent, orderly, and peaceable way] their inherent spiritual powers, rather than to confirm any encroachments upon them.

If, sir, the author of the Rights, &c. will still call this spiritual independence of the clergy a violation of the regal supremacy, and play the 25 Henry VIII. c. 19, against it without intermission, I would pray him to consider, that all this severity will recoil upon himself and his darling people, with a redoubled force: And how pointed must those arrows be that pierce the self-condemned. Does not this gentleman say, that "as to these [religious] matters, men are still in a state of nature, without any sovereign representative to determine for them, what they shall believe and profess.—That 'tis a grand mistake to suppose the magistrate's power extends to indifferent things. ² That he [the magistrate] is as much obliged to protect them in the way they chuse of worshipping God, as in any other indifferent matter! ³ That he should treat all his subjects alike, how much soever they differ from him, or one another, in these matters. And does not he tell us, that ⁴ the contrary method—forces men themselves to defend by arms those natural rights, of which no human power can have a right to deprive them. ⁵ That neither prince nor priest has any more power over the peasant [in matters of religion] than he has over either of them." Thus the author of the Rights. So that if our laws have a lash in readiness for such as claim an independence in spirituals upon the state (as I believe they have not) then woe to that gentleman and his peasants, who must have double stripes; because they assume that independence to themselves, and all hereticks whatsoever, which they deny to the clergy, and threaten those princes with arms who will refuse it them: Which I am sure comes within the lash of the law.

Upon the whole, sir, ⁶ "the royal supremacy," as the Reverend Dr George Hickes observes, "must fall down before this author's natural right, as Dagon did before the ark; because in matters of religion, and the administration of it, the magistrate hath no more power over the meanest peasant, than the meanest peasant hath over him. The 25 Henry VIII. c. 19, can be no bar to this natural right of the whole body, though he ⁷ cites it as a bar to the divine right, which the clergy claim. The whole body will have a power of ecclesiastical legislature, be they few, or be they many, be they the national, or be they not the national church, independent on our kings and queens, in or out of parliament; and they must be protected in their worship, their articles, their rites and ceremonies; or else their natural rights would authorize them, could they believe it, to call the magistrate to account for breach of trust, which they reposed in him." I pray, sir, which of the two is most eligible, that secular potentates should confirm the spiritual independence of the clergy, who heartily disclaim all resistance upon any pretence or cause whatsoever; or that they should grant an unbounded independence to the author of the Rights and his people, howsoever poisoned with the most destructive errors on this side of atheism, when, in the mean time, he challenges them to a field of blood in case of refusal? There is another popular fallacy which now occurs, and ought not to be omitted.

¹ Rights of the Christian Church, &c. Edit. 2. p. 15.

² Ibid. p. 16.

³ Ibid p. 17.

⁴ Ibid.

⁵ Ibid. p. 17.

⁶ Ibid. p. 24.

⁷ Rights, &c. Pref. p. viii.—Orig. Notes.

⁸ Prefatory Discourse in Answer to the Rights, &c. edit. 3. 1711, p. cxli.

*Objection.*¹ "What a folly and madness is it," says the author of the Rights, &c. "to take the clergy's word in things relating to their own power and jurisdiction; and suffer 'em to judge in their own cause, and decide where their own interest is concerned, as they must, if they are judges in matters of religion? Then, to be sure, their own independent power shall be a fundamental article."

Answer 1. As to the interest of the clergy, I need only to call to mind what a learned and devout author says upon this head. That worthy gentleman puts the question thus.² "But since the interest of the clergy is supported by what they plead for, does not this make it reasonable to suspect, that all revealed religion is only priestcraft?" And he gives full satisfaction to it in the following answer. "It is very fit, that they who quit all other methods of procuring of subsistence, should live by that gospel they preach;" and though men may be swayed by interest, yet the truth and falsehood of things no ways depend upon it; and the measures of judging concerning them are quite of another nature. It is sufficient evidence must convince a man that is impartial, concerning the truth of what is asserted; and it is reasonable to suppose that they who make it their business to search into these matters, should be best acquainted with the grounds of conviction. And we find that our value for the laws of the land and the art of physick, is no ways abated by the great advantages they make, who follow either of those professions.

2. Would the author of the Rights, &c. have every one to judge for themselves with respect to the point in hand, and all other religious matters, as he tells us that³ "None an make over the right of judging for himself: ⁴ That every one must judge for himself of the forms and modes of worship, the doctrines, rites, and ceremonies of any church, not only before he joins himself to it, but afterwards?" I pray, sir, if there be not a most accurate explication and distinction in this case, which our author has taken no care of, would it not follow from hence, that heresy and schism are but mere scare-crows, seeing nobody is obliged to agree with any one but himself? That the unity of the church, for which⁵ our Saviour prayed so earnestly, is contrary to religion? That Korah and his company died glorious martyrs? For they sincerely followed their best judgment. That there be as many religions as there are private men? That there is no fixed standard or measure of truth and falsehood, of good and evil? That the Christian ministry and priesthood is useless and insignificant? That Turks and infidels are as much in the right as Christians? For, according to their best judgment, theirs is the true religion. I would not, sir, be misunderstood, as if I were making an offer to take away private judgment in matters of religion, wholly; that's impossible to be done: For he that thus denies it,⁶ does in the very same instant confess to it, forasmuch as his denial of it is an act of his judgment. 'Tis only the wild unconfined private judgment of this author, who will admit no rule, who would strike out of our Bible, "hear the church," who is for giving every one a power, either to interpret scripture, or quite to deny it, and annul the decrees of the church, that I impugn; allowing in the mean time the utmost extent of authority to private judgment, that is consistent with lawful publick authority.

3. The sacerdotal potentates pretend not in this case of spiritual independence, or any other, to be sole judges for themselves. The author of the Rights cannot but know, that they submit to the scriptures, to the judgment of the universal primitive church, the best expositors of the scriptures, to the testimonies of all antiquity, even after the emperors were converted, as concurring in this point of the spiritual independence of the church upon the state. It cannot be denied, that the apostles knew our Lord's mind, and the true meaning of the commission he gave them; and it must be

¹ Rights of the Christian Church, &c. edit. 2. p. 192. ² Mr Nelson's Companion for the Festivals and Fasts of the Church of England, &c. edit. 5. London, printed 1708, p. 595. ³ Rights, &c. p. 14. ⁴ Ibid. p. 24. ⁵ St John, xvii. 21, 22, 23. ⁶ Quod negat in actu signato, affirmat in actu exercito.—Orig. Notes.

allowed, that the first fathers of the church knew the mind and meaning of the apostles in this point better than our modern adversaries ; as he that follows a man close at the heels knows his pace better than one that is some furlongs off. And this doctrine, as is clear from church records and history, has been derived from the fathers of the first, to the fathers of the second age ; from those of the second, to those of the third ; and so from age to age, to this very day, by the undoubted successors of their known predecessors.

If, sir, after all, any should deny a real distinction between the sacerdotal and regal powers, and chuse rather totally to subject the pure spiritualities of the mitre to the crown ; I am afraid they have hidden motives, and secret designs, that are out of the reach of argument. However it be, I have a few queries for them to answer, before I conclude.

Qu. 1. Whether kings can sincerely think, that those bishops believe themselves honoured with a divine spiritual commission, who lay down that commission at their prince's feet, entirely subjecting it to the crown ?

Qu. 2. Whether to teach kings or queens, that they are not, and ought not to be subject to bishops, in purely spiritual affairs, be not at the same time to teach them, that they are quite out of the church, and ought to continue so ? Whether kings have any reason to thank those who teach such doctrine, as excludes them from the household of faith ?

Qu. 3. Upon the denial of the church and state being two formally distinct societies, and supposing them to be only one society ; all spiritual persons, as such, as well as temporal, depending upon the king or queen, and ¹ "all spiritual power," as the author of the Rights, &c. says, "being vested in the king ; and whatever the bishops or other ecclesiasticks have, being," as he says, "derived from the king : " Whether it will not follow that all the subjects of the state are also subjects of the church ? And consequently, that there can be no such thing as actual church-schism, or rebellion against the bishop, the principle of church-unity ; unless there be also actual state-schism, or rebellion against the king or queen, the principle of state-unity ? But this is false in fact ; for our dissenters that don't actually rebel against the queen, are yet justly reckoned schismatics, or rebels against the spiritual potentates, the bishops.

Qu. 4. Whether asserting the dependence of the church, in its purely spirituals, upon the state, as the author of the Rights, &c. does, be not melting the church down into the state, and publicly owning her to be at the absolute mercy of the crown ? Whether it be not complimenting away the liberties which Christ has given to his church, and which even *Magna Charta* authorises her to keep ? Whether it be not to teach kings to degrade bishops into mere cyphers, whenever they think fit ? Whether this doctrine had any influence upon abolishing of episcopacy in Scotland ? And whether it makes it not impossible for the universal episcopal church to subsist as a spiritual society, if the kings of the earth should be pleased to persecute her thoroughly ?

Qu. 5. Whether to teach that the universal church is not able to subsist under a persecution, be not as fundamental an error as the denying any one article of the Christian faith ?

I have done, sir, when I have told you that if any thing here offered needs further explication, which for brevity's sake is omitted, I refer myself to the primitive church, after Constantine the Great's time, as well as before, and to the consentient canons, articles, liturgy, and other publick records of the church of England.

And am, with a profound submission and respect,

Reverend Sir,

Your most humble servant, &c.

March, 27, 1712.

Remarks from the Country, upon the two Letters relating to the Convocation and Alterations in the Liturgy.

["The project of a convocation was set on foot with much earnestness soon after the Revolution. It has frequently been espoused by men eminent for learning and moderation; and integrity too, so far as the hearts of men can be known by the conduct of their lives. Yet whether a law to remit the ceremonies most usually cavilled at would have any considerable effect, seems to be a problem not capable of a solution, but by making the experiment; an experiment which the Church of England cannot make upon even terms with the different sects of the dissenters; for the latter have nobody to undertake for their conformity, although the most ample concessions were made, and might even attempt from such concessions to raise popular arguments for farther alterations. The experience of ages hath however shewn, that lenity and toleration are more proper instruments of ecclesiastical polity than severity and persecution. We apprehend that this pamphlet has some shares of wit, and more of good sense; and that it is as well suited to the present time as to that in which it was written. It argues against the convocation, chiefly upon the foundation of its being impracticable."] The convocation here alluded to sat in 1689, and the Tract was then first published. It coincides with the spirit of the Lower House of Convocation, who would consent to no alteration in the Liturgy, to accommodate the consciences of the dissenters. The dispute, with many others, was renewed in the reign of Queen Anne.

I AM sorry to find the abilities of our English convocation so much distrusted by some of their brethren, that it should be thought necessary to send public letters of advice, by way of charitable assistance, to direct them what to do; had they been left to themselves, they might possibly have erred dangerously concerning those fundamental points of the kalendar, the old translation of the Psalms, the Surplice, &c. and have retained a too favourable opinion of the service and constitution of England, which is now become the only intolerable and unpardonable heresy. That reverend assembly will I hope pardon me, if at present I waive all vindication of the capacity they may be presumed to have, for the settling of these profound points; for it would reflect too much upon the wisdom of those directors, if the convocation would appear to stand in no need of their charity, and their letters look like a too forward and solemn impertinence. It is a thousand pities so instructive and so eloquent papers should ever fall under such an imputation, and be ranked among the scribblings of Eleanor James, with this only advantage of having better language; whereas the woman counsellor is judged to have the better meaning.

But supposing the convocation so weak indeed as this way of proceeding does suggest, and that the matters to be brought before them, like children's meat, must be chewed before-hand, and put into their mouths; yet the charity had borne a better grace, if it had been conveyed more privately, and had concealed those defects of our church representative which it pretended to supply. If these gentlemen intended only to be prompters to the convocation, they mistook their part, and spoke much too loud, and instead of assisting, served only to disgrace the actors. Therefore when these instructing papers were publicly exposed among the toys of Westminster-hall,

and proclaimed by hawkers, together with Scotch news, and Observators, it is no wonder if the company at Harry the Seventh's Chappel resented the affront, and cried out a libel, and carried their complaints as far as Jerusalem Chamber, there to be decently buried in oblivion.

It is doubtless out of pure condescension, that one of these directors is pleased to style himself a minister in the country; the undertaking does not agree very well with his character, and it is seldom that persons of that rank take upon them to direct and catechise synods. Country ministers, poor men, are at too great a distance from the spring of business to be so early acquainted with these mysteries, hid from the country, till these letters revealed them. But the knowledge of affairs, and the assuming that commonly attends too much knowledge, speaks this author rather of the commission than of the country. But if the title be serious, it is a great pity that the obscure dull country, that knows not how to value such a treasure, should possess him any longer so much to his own advantage, as well as to the regret of the court and city.

The author of the Letter to a Friend is pleased to give some intimations of his being a member of the convocation, which some persons who wish well to the design of the Letter, will by no means allow; and indeed it seems something odd and preposterous, that a person of so impetuous and irresistible eloquence, should in the first place enter his public protestation, and make his final appeal to the people, before he had tried the force of one of his reasons within doors. But some of our friends from this rough way of proceeding, guessed him to be an undertaker, who was to prepare men as well as matter for this convocation; and not finding the success of his private application to answer the expectations he had conceived, or the assurances he had given, grew wroth with the disappointment, and fearing to have lost his design, lost his patience and discretion to that degree, as to cry out of obstinacy and rigour, and in a sort to post the convocation for stiff and inflexible people, before any thing had been in due form laid before them.

You may imagine from this beginning, that I shall differ from the sense of these letters in every point proposed; but to prevent such a mistake, I will let you see at setting out, how easily we are agreed, for I join heartily with the country minister in the first thing he lays down, p. 3, 4, as the foundation of what he afterwards should propose, "that there are such things in the church of England that are in their own nature alterable;" and the other letter notes it as "a great mistake in us to hold any thing of this nature not prescribed in scripture to be unalterable." I have some exception against the words "in us," because I do not know the companions of his mistake; and I dare be bound to free all church of England men from the imputation. For how addicted soever they may be thought to their constitution and their forms, I never could meet with any of them so unreasonably stiff, as not readily to allow every thing of human institution and use, to be in its nature changeable. And because I would not have a point so evidently true as I take this to be, brought under evil suspicion by a false argument, I desire the convocation man pretended, to pray in aid of somebody who understands the language, and to look over the titles of those twenty volumes of Greek Liturgies, that he calls to witness, p. 13, 14. "how much the Greek church has altered forms, for fear all these volumes should happen to be not so many different forms of their liturgies," often altered and brought to a review, but parts of one and the same service; because I do not remember many volumes of Greek Liturgies printed, besides those which, as several offices, make up the present service of the Greek church. There are indeed three old ones printed by Morellius, but all of them not half so big as our Common-Prayer. There is one thing more which I would desire him to consider for the sake of this first point in which we are agreed, and that is what he affirms in the same place, p. 14, "that the act of King Edward the Sixth was

the first law for an uniform liturgy in any church that was ever enacted from the beginning of Christianity to that time." Such a man as our author, who speaks of MSS. in the lump, cannot be ignorant that the canons of provincial synods, for uniform liturgies, had the effect of laws, and especially in these western parts, where kings were commonly present in synods, and ratified what was there concluded. This men of ordinary reading may be allowed to know, because it is in print; but besides, many very ordinary men, without affecting to pry into the secrets of learning, have heard of such men as King Pippin and his son Charles the Great, and that they laid aside the French service, and established the Roman in its place, and that by such laws as passed in those times: And Charles, in his constitution *de Emendatione Librorum Ecclesiasticorum*, expressly ratifies the Service-book so corrected by a law, *nostra eadem volumina auctoritate constabilimus, vestraeque religioni in Christi ecclesiis tradimus ad legendum*. It was likewise by law that the Roman office was established in Spain under Alphonsus the Sixth, much against the grain of the church, which could not part with its old office without tears. Therefore to conclude this point, that there are things in their nature alterable, I would desire this gentleman to alter these passages, if he thinks fit, in the next edition of his letter.

Now, that you may not think that we shake hands here at settling out, in order to part presently, I do willingly agree with the same author, p. 1, 2, "That nothing is more dangerous to religion, than frequently to make alterations in things pertaining thereto: Nay, though it were in outward circumstantial only, that the church of England may be justified in her proceedings hitherto, that she has not been forward on every demand of the dissenters, to unhinge those of her communion from her long-received establishment, but has to the utmost resisted all alterations from them, hoping by less dangerous methods to cure," &c. When I met with so many passages in these letters, reflecting with great sharpness upon our service and present constitution, I began to be afraid, that we might have been in the wrong, ever since Edward the Sixth's days: But I took courage, when I found that hitherto all had been well; and provided we yield ourselves tractable upon this occasion, all our past proceedings and stiffness against dissenters may be justified. It is well for the church, that she needs not apprehend any retrospect into her behaviour; since, as times go with churchmanship, it must be acknowledged to be no common favour. But, good sir, how can this liberality consist with those reflections you make upon the past conduct of the church? How can it consist with your censure of "that unreasonable rigour, whereby we have hitherto maintained them," p. 5, or with this kind expostulation, "have we not already lost our reputation with the people of the land, by insisting too rigorously on those things?" How can it agree with the frightful representation you are pleased to give of the faults of the liturgy, p. 15, "for if we are forced to read such ridiculous things to our people instead of the Word of God: if by reading the old translation of the Psalms we impose that on our people for true scripture, which in so great a number of places quite differs from it; and if there be many grievances and defects of this nature which he could tell us of, to which we are bound?" If all this be in earnest, I must needs confess, that I cannot see how we may be justified for the time past; for were these ridiculous things less ridiculous, or these reading psalms less differing from true scripture a hundred years ago? Was it allowable to retain "most Religious and Gracious Kings" in the last reigns, and is it now grown a flattery not to be warranted? Those things that are now such grievances and defects, were they of another nature in the days of Queen Elizabeth? In short, the liturgy and constitution of the church of England, are they grown worse and more intolerable now than when these gentlemen thought fit to declare their assent and consent to them? Yet both give the church and liturgy very good words; "a church," says one, "which I am certain of in respect of its doctrine, worship and order, is inferior to none upon the face of the earth," p. 1.

“As to the liturgy of our church,” says the other, “I freely acknowledge, and I think no man can contradict me herein, that it is the best which was ever yet used in any Christian church,” p. 12. Now if this liturgy, so faulty, so ridiculous, so wicked as to impose false scripture upon the people, be yet the best of any; and if this church, with all the faults here represented, so unwary as to turn the sign of the cross into a sacrament, be inferior to none, God help the rest, I say! I am afraid, that I should be tempted to have a very sorry opinion of churches and liturgies, if I had not some hopes, that our authors might be mistaken in many of those things they expose for the defects of the church of England: But I must confess, that I cannot see how ’tis possible to reconcile the compliment with the reproach. Weigelius indeed pretends, that in the school of grace contradictories may be reconciled and united by the mind: But the matter being past my skill, all the service I can do him, is to refer him to that mystical divine.

I once thought these alterations so much talked of were intended by way of condescension and favour; but when I find these advocates for the project lick up the venom of the dissenters, and spit it in the face of their own church; when they try to give new strength to old weak objections, and affect new quarrels and cavils against the liturgy; there is too great reason to be jealous, that they do not intend to mediate an accommodation, but to procure a conquest for the dissenters. Many therefore that seemed not averse to make some concessions, provided it might have been to any good effect, were extremely discouraged by the method which these undertakers took to persuade them. For if this new pretended reformation cannot be introduced, but upon the disparagement and condemnation of the old, if it must reflect blemish and infamy upon the memory of the preceding generations of our church, if it must throw contempt and ignominy upon so many excellent persons, who have not only consented to this constitution, but defended and justified it against the frivolous exceptions of dissenters; if this be the case, you must pardon me, if I have not now that inclination to alterations which I own myself to have had heretofore.

Neither would I be thought so punctilious, as to prefer a point of honour to a case of necessity. If it be so necessary to make these changes, if it will unite all protestants, and create an universal concord, I am content to discharge all these circumstances, and bid them stand out of the way of such mighty blessings. That so it is, a certain person positively affirms to a friend, p. 2, “I think now to make such alterations as are proposed, so absolutely necessary as ought no longer to be deferred:” And then p. 8, “That these things administer only to schism and division in the church, and to distraction in the state.” And again, p. 9, “They become mischievous too in the evils that they bring upon the church and state.” Nay, further, p. 10, “I here plainly aver, that the church of England cannot be guiltless in this matter, if she do not alter some of these things.” And to conclude, “The present posture of affairs require it: For the greatest hopes of the French for our destruction is from our divisions: And what remedy have we left to prevent this terrible ruin, but to come to as firm a union among ourselves as we are able? And the hopes of preserving church and state from the great dangers under which they are both involved, do in a great measure depend upon what we shall do,” p. 5. Who could have imagined, that these little things should be of so great consequence, either for good or hurt? If these Trifles had but sense enough to understand the charge laid against them, they could not but wonder, with the fly upon the coach-wheel, at the mighty dust they made; and could they but speak for themselves, they might plead with the officers of the children of Israel, *Exod. v. 16.* “Behold thy servants are beaten, but the fault is in thine own people.” However, since they are so positively accused of having raised the tempest, and there is no way to calm it, but by throwing these unhappy occasions over-board; let us consent, and, by way of supposition, lay all these things aside. Now, sirs, it is

all done as you have ordered: Call the dissenters in, that the church may be full: Go to the quakers, for they are a numerous and very compact party; and let them know, that there is now neither Apocrypha, nor obsolete translation, nothing but scripture in the lessons; that there are now collects more spiritual than the old; and, in short, a liturgy, and a church better than the best. What answer, think ye, the foreman of a quaker assembly would probably return to such an invitation? You may reasonably expect something to this purpose. Friend, go to thy steeple-house and thy dead letter again: Thou mightest have kept thy old lessons and thy prayers for us, and forbear tempting and troubling our spirit any further.

But pray, sirs, be not so far discouraged by the obstinacy of one unmannerly sect, as not to proceed to a trial of the rest. Carry then your reformed liturgy to the anabaptists, and acquaint them what glorious alterations you have made, and that it is now quite another thing from the old one, at which they were so justly offended: Nay, the sign of the cross in baptism, that great stumbling-block, is removed, and the surplice, that offended tender eyes, is turned into aprons for the church-warden's wife: Come, brethren, let us all go into one church, and then we shall beat the French, and save the nation. When you had said all you could, the pastor, on behalf of his sworn congregation, would gravely tell you, that you were much mistaken, if you intended to gain them by your alterations. For you could not but know, that their exceptions were not against this or that passage in the Common-prayer, but against the whole; all forms of prayer, in their opinion, tending to suppress the free motions of the spirit: Besides, what could it avail in respect of them, that the cross in baptism was removed, since infant baptism was to them a greater offence than all the ceremonies of the church of England? And as for the French, they were willing to join against them; but there was no necessity of making the church the general rendezvous.

The design is great and generous: I beseech you do not sit down in despair, after but two denials. Go on to the independants, for they are civil men, and tell your story to the best advantage. Tell them, that now you have prayers that angels would be content to join in; prayers, that must make all men saints that use them: Come then to our church, and see the new and heavenly face of things these alterations have made: You cannot possibly find fault now with our parish churches: Besides, there is an absolute necessity now for our joining in one national church, otherwise the French and the Philistines will be upon us. Parish churches, and national churches! Reply the independants: And what can the French and the Philistines do worse? You know we are in covenant with God, and with our pastors, from which we cannot recede, though all the world should be destroyed: Those mixed companies and parish assemblies our souls hate, and therefore do not urge us. We have our liberty now to meet in our own way; and for aught I know, this disturbance you have given us may fall within the compass of the act: You know the forfeit, therefore be wise. But before you go, take your answer in the words of the prophet, "Who has required this at your hand?"

Now, gentlemen, if you are weary of walking, send for T. F. and the Socinians; he perhaps may owe you a visit, and will be glad of an opportunity to shew his coach. Let him understand his obligation to you, how for his sake you have either taken away the Athanasian creed, or pulled out the sting of it. It is therefore more for their credit to join with us upon this occasion, than to make themselves odious to all Christians, by joining interest and friendship with Mahometans. A man of less pertness than T. F. would return upon you, That you cannot expect any compliance from them, as long as the Nicene Creed, the spring of all the doctrine which makes up your mystery, and their abomination, does remain; they will do you the civility to hear you preach, provided you confine yourselves to morality, and forbear the doxology at the conclusion.

Unfortunate enterprise! Yet surely thou deservest a more favourable providence,

and a more suitable success. But, sirs, be of good comfort, there is yet one hopeful reserve that can never fail you, I mean the good presbyterians: Make haste therefore to Mr A. and Mr B. before the Scotch covenanters have engaged them. Make them sensible that the gates of iron are broken down, and the Trojan horse may now enter in with all that he has in his belly, without any hard examination that may discover a conspiracy. Now the ceremonies are given up as useless and mischievous; now the communion may be given you standing, or sitting, or lolling, if you think it more for edification; all superstition and offence is taken out of the way, and all the old demands yielded; nay, there is nothing left in our new book, that ever fell under your displeasure: Come in now, for we have engaged for you, and all our credit is at stake. Methinks I see Mr A. draw his mouth, and put this sly question, And must this new book be imposed? Why, you will say, it is so absolute and so perfect, that it were to be wished that it were imposed upon the whole world. Nay, saith Mr A. do you not know the mischief of impositions? Can you be ignorant that it is our common doctrine, from which we can never depart, That command changes the nature of the thing? Besides, after all your cobling, it is still but Common-prayer, and our people can never endure it; for after they have been used to the excellence and variety of our spiritual effusions, they will never suffer themselves to be brought down to the poor and beggarly elements of Common-prayer. To be brief, it is our fervent pouring out, is the very brandy of devotion; those that are once accustomed to it can never leave it.

For the last stage of your apostleship for union, address yourselves to the moderate presbyterians, if any such creatures there be; you may assure yourselves they are but few, and scarce arise to the number of the apostles: However, they are considerable for the scarcity of them, if for nothing else; these are your own wherever you can find them; for it is impossible they should ever resist the power of your alterations, when they come to understand, that for their sakes you have changed your constitution, and hazarded the displeasure and separation of your own people. But because it is customary, after the first groan, for the zeal of these good men to fire against lords bishops and the hierarchy, give them the wink, and whisper them in the ear, that perhaps it may come now to the turn of such godly men as they to be bishops: Assure yourself, this will make them much more moderate, especially when they see so many bishops seats upon the point of being pronounced void, and the countenance of the court to shine so auspiciously upon their merit. And, lest they may fear this hierarchy may lie too heavy upon their consciences, you may assure them that care shall be taken to relieve them under this oppression; and they may, when they think fit, resign their dignity and revenue, and have the honour of standing last in the catalogue of that order. And what better course can they take to secure themselves a name in after-ages, than that it shall be said, that in them the English hierarchy, so much spoken against, did finally expire? One private friendly reason in one's ear proves many times more convincing than all the arguments that can be alledged in print, or public disputation; and to moderate men, alterations with preferments must be irresistible motives of conformity, unless they think they have a fairer game than this you would put into their hands, and it shall seem more advisable to them, to stick where they are, than to join in a discouraged sinking communion. This ramble of imagination is not altogether a dream; or, if it be, it is neither vain nor delusory, but flew abroad through the right gate.

But the letters tell us, that "suppose there were never a dissenter in the land," those alterations ought to be made; Minist. p. 27, "to gratify ourselves by further improvements, amendments, and perfection." Let us then, before we comply, consider a little of the state of perfection into which these alterations would translate us. Is it for our own sake and perfection that we should leave the cross in baptism, and re-

nounce the common badge of Christianity, and the practice of the universal church? Is it for perfection that we should lay aside the surplice for the short mantle? Is it for the heightening and perfection of our devotion, that we should chuse to receive the communion standing or sitting, rather than upon our knees? Is it for our own sake that we should leave the old version of the Psalms, that has generally a plain and determined sense, for the new, that affects too much of the Hebrew phrase, and in which the sense in many places is suspended? Is it for greater edification, to astonish our people with reading in our churches all the hard names in the Chronicles, Ezra, and Nehemiah, instead of the books of Wisdom and Ecclesiasticus? If the Canticles are omitted, because interpreters of that mysterious song are not so easily to be found as readers, we have the practice of the synagogue and the ancient church to justify us. But Tobit and his dog are abominable. Give me leave for once to intercede for that poor dog, because he is a dog of good example, for he was faithful and loved his master; besides that, he never troubled the church on Sundays, when people have their best clothes on; only on a week-day, when scrupulous brethren are always absent, the poor cur makes bold to follow his master.

But, after all, I would not be thought so fond of our liturgy as to pronounce it beyond all improvement, yet I must avow, that in my judgment the authors of the letters have not put us in the right way to perfection. In the last place, therefore, although many things in our church might receive improvement, if our directors had put us in the right way of retaining them, yet I must declare, that, in my judgment, the present time is the most improper to try the practice of any that has past since the Reformation. Perfection is certainly a desirable thing, yet if men's minds are averse, and for the present incapable, if the times are unseasonable, if inconveniences appear inseparable from the experiment, men may be excused if they do not presently run away with every project of good appearance; and their shyness for meddling with new practices ought to be ascribed rather to their tenderness and godly jealousy, the mistrust of consequences, than, as one of our epistlers in his great charity is pleased to judge, to their peevishness, stiffness, or, what is the hardest charge of all, their wickedness. Nor can I blame any men, who, in hopes of fairer weather, think it advisable to lie short, in compliance with St Paul's rule, Phil. iii. 16, "Nevertheless, whereto we have attained, let us walk by the same rule, let us mind the same things."

But why is not this a time, not a season? Says the minister, Is there any thing can make that not seasonable which is always a duty? I am sorry all our predecessors have died in the mortal omission of this indispensable duty; but our minister suggests sometimes, that they were ignorant, and knew no better: Here I must leave him to dispute this with his friend, the author of the other letter, who takes upon him to justify our forefathers for refusing alterations in their time. Let it not displease, if I cite a scrap of Horace upon this occasion, which never gave any offence before this last convocation; *Vixerunt fortes ante Agamemnone*,—thus rendered by the old translator:

Before his time the fool maintains,
That men were born without their brains.

Is it not a season to remember the tenderness towards dissenters, and the promise of coming to a temper in the bishops petition? What have we to do with the bishops petition? Were they not put in the Tower for it? Who will concern himself with those forsaken bishops, whom one of our authors threatens with annihilation? Poor men! that must be immediately crushed, and fall to nothing, p. 25. But I hope that, without falling under the heavy resentments of the state, I may ask one question on the behalf of those reverend persons against whom every ass is now lifting up his heels: Are our directors sure that they have in their project of alterations hit the tem-

per promised by the bishops? If a project formed, I know not where nor by whom, has not the fortune to be approved, must the clamour of the people be raised against the bishops, as a base false sort of men, who can promise fair in times of adversity, and forget all performances when they are over? I wish indeed that the times of adversity were over with those good men, that they may be able to perform their vows; but there is one circumstance of the time of the petition generally forgot. All the penal laws for the security of the church of England against papists, and other dissenters, were then in full force; against these the dispensing power was directed, and in behalf of these the bishops did petition; but now all those laws, as far as they concern the dissenters in their private capacity, are repealed, the greatest part of the dissenters are not capable of any other temper than toleration, which they all have, and the presbyterians, who alone of all our sects are capable of uniting with a national church, are so far from desiring an accommodation, that they are raising new objections against conformity, and standing off at greater distance than ever. Their very sitting still at this time, without offering any proposals for union, while churchmen are wrangling with one another about giving them satisfaction, declares plainly, that they are resolved to stick to their own way, after all the alterations we shall be able to make. So that I do not see what those bishops, if their authority were still entire, could possibly do further to make good the temper which they promised.

“Not a season?” says the Minister. What, because the enemy is withdrawn, shall we devour one another? p. 27. This is doubtless an eloquent vehemence, if I were worthy to reach the sense of it: Devour one another! God bless us! we are not such cannibals sure! I cannot devise how this should come in, unless it slipped from some scripture common-place-book made in the time of Vavasor and Lunsford. But are we yet without danger? Now because the man to his friend represents the dangers more sensibly, we’ll take his description. We have a formidable enemy in our neighbourhood, who thinks of nothing less than of subjugating these three kingdoms to his absolute tyranny; his greatest hopes for our destruction is our divisions among ourselves,—these make us unable to resist him with that success, &c. Is there any prophecy I pray (for it is not civil to ask this gentleman for reason) that Duke Schomberg cannot reduce Ireland, unless the cross in baptism be taken away? Or will not our fleet engage the French, except presbyterian ordinations, made in defiance of bishops and episcopacy, be allowed? Have the quakers promised to fight, if we reform the kalender? Or will not the independants and presbyterians strike one stroke, but under the banner of the new reformed church of England, provided always it be not a cross? Is there no way of joining in fight, and paying taxes, without this church-union so much talked of by us, and never so much as mentioned by the dissenters? Indeed, sir, the dissenters are much to blame, if after so ample toleration, that, as you observe, has put them upon as good a bottom of legal right and protection as the church of England, they refuse to assist the government, unless the poor defective Common-prayer be put into a state of perfection. This church of England is certainly under the dominion of the most unfortunate of all the planets; for whoever miscarries, she must bear the blame. If a frigate be cast away, the winds and the sea, though subject to no actions in our courts, are absolved, and the faults laid upon our rigours, much harder than the marble rocks of Plymouth. If a disease in the camp render our army unfit for action, the church of England is the cause, because she does not unite all protestants. If a commissary victuals not the camp sufficiently, and a French apothecary provides not proper drugs, O the lamentable divisions and distractions of the church and state! and our stiff churchmen will never come to a healing temper. I have heard some learned men say, that the primitive Christians were in their time in the same office of blame-bearing that we are now; if the Roman arms wanted success, some oracle spoke, Away with these atheistical Christians: If the year was unfruitful,

Hang up the Christians. Let the dissenters, or the moderate men, say what they please of bishops, and liturgies, and ceremonies, this one thing at least we may be allowed to have common with the primitive church.

I have almost filled up my sheet, though I write in short hand; and therefore cannot now give you my reasons at length, why I think this an unfit time for alterations, if any at all were to be thought of: I will only hint them to you. In the first place, the dissenters do not seem to be in any disposition to an accommodation, having never made any proposals either to the commissioners or convocation. 2. The condition they are in at present, by the act of toleration, raises their expectations too high to be satisfied with any reasonable terms. 3. The abolishing of episcopacy, by their brethren of Scotland, may encourage them here to think of such matters as can never be the fruits of a treaty, and perhaps to dream of a second conquest. 4. Their insolence in all places, since this revolution, declares them to be above the humble dispensation of an amicable composure. 5. The great men that influence them will always think it their interest to keep them separate from the church, for so they will be most for their turn, and therefore will never suffer them to join with us; or, should they come in, will always keep them up as a separate party within the church. 6. Several of the most considerable among them have declared, they will never think of treating unless their orders are allowed, and then too they will insist upon the point of episcopacy. 7. The church of England-men do not seem to be in a disposition for altering at this time; for they find themselves insulted and oppressed in all parts of the kingdom, where the moderate men are got in power and commission. 8. The clergy are alarmed with the destruction of episcopacy in Scotland, and think they have reason to be jealous; that now the presbyterians of England hold intelligence with the Scots, because they have always corresponded. 9. Our lay-men find dissenters even in this state of separation to have the preference; and upon a new model they may have reason to suspect, that the proselytes may pass for the only churchmen, and then *Veteres migrate coloni*. 10. There seems to want a plenitude of authority in the convocation, to enact these alterations; the A. B. of Canterbury, and five of his suffragans, persons of great consideration and credit in the church, lying at present under an incapacity. The objection about their schism is nothing but a calumny of their enemies, and shall have no answer from me, because it is not agreeable to my temper to give it such an answer as it deserves? But certainly an A. B. the *præses natus* of the convocation, and five bishops of the province, must needs be missed in the house, consisting of but two-and-twenty. It is not enough to say that it is a legal house without them; for a House of Commons of forty persons is a legal house; but there would be great exceptions, if three times that number, and no more, should take upon them to repeal a statute, or alter common law. And in this jealousy that one party has of another, it appears oddly, that this time of all others should be thought most proper to introduce alterations of such a consequence as these appear to be to the first view. 12. The kingdom is yet in such a ferment, and many things so unsettled, that to change now in the church, is like altering military exercise in the midst of a battle, or careening a ship in a storm. The most proper time for alterations in religion, is that which is most calm, when the spirits of men run low, when there is a mutual confidence between parties, when they all conspire in one desire of accommodation, and when the ecclesiastical authority that is to enact them, is entire, not only in respect of the law, but of common opinion: And whether these circumstances belong to the present time, you will easily discern. I will conclude with answering two arguments in the letters, which I had almost forgot; the first is, that if we do not make alterations, most certainly the parliament will, and we may provoke them, by our stiffness, to follow the example of Scotland. It is a strange confidence, and scarce of English growth, to declare so certainly before-hand what our parliament will do. These gentlemen will pardon me, if I should

think the parliament something wiser than them, and cannot apprehend any thing from them, that may prove for the prejudice of the established church, and to the dissatisfaction of the generality of the kingdom: For the example of Scotland, we despise the threatening. I have read of an owl that appeared in a Roman council, and frightened the whole assembly; but our church of England convocations are not so easily scared. This is the third time that episcopacy has been abolished in Scotland; we know it to have revived twice, and we still believe a resurrection.

The second argument is, that the king is desirous of these alterations, and the church of England cannot but be safe in his hands. This is an argument I must acknowledge myself to be unable to answer yet. I know that the king's name and the king's money are often used without his knowledge; but because I cannot reply directly, I will plead the privilege of old age, and tell you a short story. In the beginning of King James the First's reign, the presbyterians of this kingdom entertained violent hopes of an ecclesiastical revolution, and gave out every where, that the king, having been bred in Scotland in the presbyterian way, was desirous of a change in favour of it: A great number of conformists, and much a greater number than have yet appeared for this new project, joined with the non-conformists; defamed the Common-prayer beyond measure; declared they could never subscribe again, though they had done it several times before: You know the issue; they found themselves mistaken in the king's inclinations, the moderate men were glad to be reconciled to their Common-prayer, and the church outlived the too hasty triumphs of her enemies, and the treachery of her pretended friends.

From the Collection of Sir Francis Eyles Styles, Bart.

High-Church Miracles, or Modern Inconsistencies

Printed in the Year 1710.

This doggrel poem is a specimen of the abuse with which the contending parties in the church assailed each other during this busy period.

THAT high church have a right divine from Jove,
By signs and wonders they pretend to prove.
¹ They can a mortal soul immortal make;
² They can by prayers our constitution shake.

¹ This power Mr Dodwel, the learned tutor of high church, teacheth to be in every priest, and not one of the high-church faction hath writ against this heretical doctrine.

² They prayed publicly, and printed prayers for the doctor, as one under persecution for religion, though he was impeached by the commons, and found guilty by the lords, of high crimes and misdemeanours, in preaching and printing two sermons, "with a wicked, malicious, and seditious intention, to undermine and subvert her majesty's government, and the protestant succession as by law established; to defame her majesty's

Virtue and wit, at their command, agree ;
 And truth can well consist with perjury.
¹ They damn all right but of the immediate heir ;
 And reconcile it to the oaths they swear.
² Passive can be, and yet resist the queen ;
 Loyal to her, yet Perkin would bring in.
³ The sovereign's supremacy they own ;
 But say, the pulpit is the higher throne.
⁴ To bishops gave divine and kingly power ;
 Yet curse them first, and after would devour.
⁵ Christ they can serve, by churches pulling down ;
⁶ Advance prerogative, by insults on the crown.
⁷ Popery they hate, yet abbots would restore ;
⁸ Abjure Rome's power, yet grasp themselves at more.
 God they profess righteous and just to be :
 Yet God, they say, commissions tyranny.
⁹ Their mercy, love, and charity are shown
 In massacres, and persecution.
¹⁰ Saints they can damn, and devils quickly make 'em,
 Can devils absolve, and after consecrate 'em.

administration ; to asperse the memory of his late majesty ; to traduce and condemn the late happy Revolution ; to contradict and arraign the resolution of both houses of parliament ; to create jealousies and divisions among her majesty's subjects, and to incite them to sedition and rebellion.

They prayed also for the church as in extreme danger ; and their sermons were suited to their prayers ; whereby they trumpeted up the mob against her majesty and the parliament ; and the latter they omitted praying for during the trial.

¹ Their Oxford Decree, which the lords have condemned to the flames, and their other scandalous and treasonable pamphlets, denied the legality of precluding the next heir to the crown : And on discourse with them, you'll find they are full of encomiums on an hereditary right ; and yet the same persons abjure the Pretender, and his pretended sister, and the houses of Savoy and Bourbon, by swearing to her majesty and the protestant succession, as limited by acts of parliament on the house of Hanover.

² They allow of no resistance, though the estates, rights, and liberties of the whole nation be invaded ; though a tyrant should deprive you of parliaments, and murder the people for his pleasure and diversion ; and yet these false teachers rebel themselves under the mildest government of her present majesty, as their late insurrections do sufficiently witness. And though all their actions are against her majesty's government, yet what solemn professions of love and loyalty do they, Judas-like, make to her.

³ Her majesty's supremacy in the church is confirmed by divers acts of parliament ; and though the canon excommunicates, *ipso facto*, whosoever speaks against it, yet all high-church authors have the impudence to deny it in print. Nay, they prefer the inferior priests to the greatest emperors and kings, as appears by their books, cited in a small pamphlet entitled, *A New Catechism, with Dr Hickeys' Thirty-nine Articles*. But you may observe yourself in conversation, whenever they say grace, or toss off a health, they name the church (as superior) before the queen.

⁴ Dr Atterbury and his friends can testify in what an insolent manner, the highfliers have treated the higher house of convocation. What libels and invectives have they published ? What indignities have they offered to our moderate and religious bishops, especially to his Grace of Canterbury, and the Bishop of Salisbury, the latter of which, though a very great ornament to our church, and so esteemed throughout all Christendom, was in danger of being massacred in the late high-church insurrection ?

⁵ They pulled down the churches of protestant dissenters, for being professed enemies to the Pope and the Pretender ; but not a window did they break of either papist or Jacobite.

⁶ If undermining her majesty's title, defaming her government, libelling her ministry, denying and opposing her supremacy, tacking of bills, directing her when to dissolve a parliament, and acting in defiance of her royal proclamations against riots, &c. be methods to advance prerogative, then high church have effectually done it. So did they serve their God by burning his churches.

⁷ Abbey-lands.

⁸ This has been fully demonstrated by *The Rights of the Christian Church*, whom the whole legion of high church have in vain attempted to answer.

⁹ This is a set forth in a small treatise, ironically entitled, *The Merciful Judgments of High Church* ; and is confirmed by their late barbarous behaviour towards the protestant dissenters.

¹⁰ This alludes to their pretended power of damning any person, though never so holy, by their excommuni-

But I defy themselves, and all their devils,
To wash the Æthiop white, and purge high church from evils.

A Letter concerning Allegiance, written by the Lord Bishop of London, to a Clergyman in Essex, presently after the Revolution. To which are added, some Queries, occasioned by the late Address of his Lordship and the Clergy of London and Westminster.
1710.

It was difficult for the Tory clergy and gentlemen, who had acceded to the Revolution, altogether to reconcile their conduct, on that occasion, with their favourite doctrines of indefeasible hereditary right and non-resistance. Henry Compton, Bishop of London, entered into the Revolution with such zeal, that he assumed arms and commanded the guard of volunteers, which was levied to protect the person of Anne, then Princess of Denmark. He had also, as appears from the following letter, recommended the cause by his pen, which he stood prepared to defend with his sword. But as in the divisions of the kingdom, in the latter part of Queen Anne's reign, he continued to assert the Tory principles, some Whig author endeavours, by referring to his former opinions, to bring in the prelate as guilty of inconsistency.

SIR,

I am extremely sorry so unhappy a spirit should reign at this time of the day, that, after so miraculous a deliverance as we have had, may endanger our return again into Egypt. I pray God our wantonness with so gracious a providence doth not bring an harder after-game upon us. It is my misfortune that I cannot come down just now to clear this matter. In the mean time take my thoughts upon it.

1. Our case differs much from that of the primitive Christians. They had nothing but mere points of religion to contend for. All the laws of the several nations were against them, so that they could pretend to no civil right.

2. I acknowledge that in such circumstances, there is no remedy but prayers and tears, where the magistrate presses beyond conscience. For spiritual rights and privileges must be defended with spiritual weapons, not with the arm of flesh. *Dominium funditur in gratia*, is a popish as well as fanatical principle, and abhorrent of true religion.

3. And yet the primitive fathers have taught us one practice which would conduce very much to our peace, should we think fit to follow their example, viz. whatever revolutions happened in the Roman empire, they still paid their obedience, and offered up their prayers for those that were in possession of the government, not taking upon them to judge of the civil rights.

4. But our case is of a quite different nature from that of the primitive Christians, and from that of many of our neighbours. Our religion, liberty, and property, are secured by the civil constitutions and fundamental laws of the kingdom. There is a mutual obligation between king and people, the one to protect, the others to obey.

cations and anathemas; and, on the contrary, of absolving, for a purse of money, the most profligate sinner. But, physician, first cure thyself.—*Orig. Notes.*

Both protection and obedience are prescribed by, and confined to, the laws, as Fortescue, Bracton, and all the best lawyers have taught us, under the greatest kings; besides, the statute of Henry VII. justifies our obedience to a king *de facto*, though he is not *de jure*.

5. Now then I would fain know, who is to decide our civil rights, when disputes arise between king and people, and who then is to judge of those laws? No doubt the body of the nation assembled in the best manner the present exigencies of affairs will permit. For if we will not upon such occasion submit to their determination, we set up that private spirit in civil policy, which by experience we have so justly condemned in ecclesiastical.

6. But when I reflect upon what has passed amongst us, how the chiefest and leading sticklers amongst us, for the abused notion of allegiance, which is in truth nothing but legal obedience, have cast off, and that avowedly, all the substance of it to the late King James II. I cannot but wonder at the thankless adherence only to a bare title, which hath neither ground in any reason to subsist by, nor can be in the least grateful to him, to whom we acknowledge it, otherwise than to do mischief, by dividing us, and exposing us as a prey to our enemies; which is all at present from him that has all imaginable tenderness for every soul in his diocese, and is

Your affectionate friend and brother,

H. LONDON.

N. B. This last paragraph I take to relate to Archbishop Sancroft, and others, who had cast off all the substance of their allegiance to King James II. by inviting the Prince of Orange with an armed force; and yet afterwards fell off, and adhered to bare title, &c. I need not make any application.

An Extract out of the Bishop of London's Seventh Letter of the Conference with his Clergy, held in the Year 1686.

If we exalt the king's prerogative above the law, we do as good as tell the people, that, notwithstanding their rights, the king may ravish their wives, spoil their goods, and cut their throats at pleasure. And thus we should pursue a method as contrary to the mind of God as could be. For it would prove a doctrine that might do much harm, and could never do good. Either it would alarm the people with an apprehension that some design were working against their just rights (for which pernicious strain of courtesy, we may be sure, a wise prince, as ours is, would give us small thanks, since the least mischief we could expect would be dissatisfaction, murmuring, jealousy, and a readiness to rebel) or, if it should operate as we intend, if we intend any thing else by it, we should thereby make a halter for our own necks, by disposing men to avow a principle that should invite their king to put a yoke upon them.

He afterwards calls it flattering our prince into tyranny.

Queries relating to the foregoing Letter and Extract, and to the late Address of the Clergy of London and Westminster, published in the Gazette of Aug. 24, 1710.

Query 1. Was there ever a more open avowal of the lawfulness of resistance to a King of England not governing by law, than in the foregoing letter, which plainly allows of other arms, besides prayers and tears, for the defence of legal rights against the invasion of the prince? Did any of the managers at the late trial, or any of those

who have lately been styled Republicans, say any thing more upon that subject than what is there said?

2. Is not the speaking so of the royal prerogative as to infer and imply, and declare an unlimited absolute subjection in all cases to be the indispensable duty of subjects: Is not this exalting the prerogative above law? And have not our late addresses from all parts of the kingdom done this, if ever it were done in this world?

3. Is it not therefore a just reason for not subscribing an address, that it hath not only paid honour in general to those addresses which have done this, but particularly set a seal to what they have said upon the head of the royal prerogative? And would it not much better have become so considerable a body, to have openly given their own thoughts, than thus to have made themselves answerable for as strange inconsistencies and absurdities as have ever yet been vented?

4. Could those persons possibly subscribe it, whose hearts were so far from accompanying those addresses in what they say upon the points mentioned, that they have all along gone against them, and looked upon them as the voice of an infatuated people, calling down slavery upon themselves and their posterity after them; as in the passage just now quoted, their bishop himself taught them to esteem every thing of that nature?

5. Besides the two reasons mentioned by that right reverend prelate against thus exalting the prerogative, is there not another of very great force, peculiar to our establishment since the Revolution, viz. That the doing it condemns that glorious transaction, and all that is built upon it; and teacheth men to think ill of that deliverance which was wrought, by withdrawing our allegiance from a prince carrying his prerogative above law?

6. Is not the doctrine of unlimited non-resistance accompanied with the same evils, or rather, Is it not the same thing in other words? Doth it not tend to make a people suspicious of designs? and to invite a prince to put yokes upon them, as my Lord expresseth it? And doth it not likewise tend to confirm the old prejudices of some, and to raise new ones in others, against the resistance at the Revolution, and against all that is built upon it?

7. Is it not plain from the foregoing letter, that the Revolution was, at the very first, put upon this foot, that the legal rights of a nation might be defended by force; and that a king setting up a prerogative above law had no title to allegiance and subjection?

8. Is it not therefore a just reason for not subscribing an address, that such words are used, as (whatever be the intent of them) will certainly be generally interpreted so as to bring a disgrace upon the resistance practised at the Revolution?

9. Is it not manifest that the indignation of our late addresses at imaginary attempts to undermine all government, is pointed at those principles of limited subjection, which are the only defence of the late Revolution, and our only bulwark against tyranny?

10. Is it not therefore a little too much for any to give testimony to all the foul misrepresentations of those addresses upon this head, who are tender of the honour of the late Revolution, or have any regard to the foregoing letter and extract?

11. Is it not the general notion both of friends and foes to those worthy addresses, that their insinuations of attempts, &c. were designed against many of the greatest men in the kingdom, and against the House of Commons particularly: And could it be expected that any should subscribe an applause to these, who have a just regard left to the judicial proceedings of the highest court in our kingdom; or any gratitude to those representatives, whose glory it is that they have openly avowed, that we are not slaves, but freemen?

12. Can any thing be more absurd than what hath been said in some of our ad-

dresses concerning the royal title? Hath not hereditary right been in some distinguished from, and opposed to the parliamentary, and preferred before it? And hath it not in others been so spoken of, as that no one in the world can tell what is meant by it? And is it not very hard, that men should be called upon to applaud what either strikes at our whole foundation, or is beyond the reach of human interpretation?

13. Is not this first paragraph, which confirms the extravagancies of our late addresses, a sufficient proof of what those who penned this address meant by irresistible authority in a following paragraph, even all that the highest asserters of absolute non-resistance could ever desire in their greatest zeal against the late Revolution? And is not this something of a reason against signing this address, to those who understand the conclusion of this argument; that if any of our princes have an irresistible authority, then the late King James likewise had?

14. Is it not yet more certain, how this phrase was intended to be understood by friends, from hence, that there hath been publickly maintained by persons not unconcerned in this address, an authority in the executive power without right and law; nay, that this very word Authority hath been so defined by them, as to make it consist in acts and decrees, void of right and law? And is not this a still greater prejudice against that expression, to all who are willing to justify the Revolution?

15. Is it not another confirmation of this intention, that they speak here of that irresistible authority, which is represented as favouring the Pretender? Since the making our prince's government by law *irresistible*, never was, and never could be so represented, but only the making the regal power, in all attempts irresistible; which indeed is condemning the Revolution, and favouring the pretensions of the popish line. Is not this a plain proof of what is meant here by irresistible authority? And as plain a proof, that by making use of the expression of withstanding arbitrary power, they have carefully avoided the word resistance, and left room for some to satisfy themselves, that the withstanding here intended, is only such a doctrinal declaration as is consistent with the highest and most absolute passive obedience?

16. Supposing it not thus intended, yet, since it is certain that, generally speaking, it is, and will be, so understood, as it stands in an address penned in confirmation of our late addresses, and since few distinguish so well as to understand it otherwise, is not this a tolerable reason against subscription, for all who desire that so important a point should not be wrapt up in ambiguous words?

17. As for her majesty's hereditary right, what man of common sense ever affirmed, that the thinking her the true heir at this time, or the thinking the Pretender illegitimate, were things favourable to the person of the Pretender? And why then is this represented so as to lead men into a wrong notion of the case? But, notwithstanding this, let me ask,

18. Since hereditary right hath been by many, and for a long time, used in a sense irreconcilable to our present settlement, which is founded upon an excluding act of parliament; since it is at present used by our papists and Jacobites, to serve their cause; since the popish line hath no other claim, but by hereditary right; is it not evident, that the speaking of this title after so high a manner, and that without explaining it, must, in its consequences, do service to the future pretensions of the popish line, whatever becomes of the person of the Pretender?

19. Nay, must it not do him service likewise, amongst all who are so weak as to think him legitimate, or to imagine that there not being a legal disproof of his legitimacy, still leaves him a claim to hereditary right, as it hath been usually understood?

20. Whatever be the meaning of the addressers, and supposing them truly (which I do not doubt) on their own parts to declare against the Pretender, yet can that declaration alter the nature of things, or the tendency of some words and principles? Let them be never so sincere, yet still doth not a noise of hereditary right seem to

threaten some mischief to a settlement entirely parliamentary; and doth not irresistible authority tend to teach men to condemn a resisting revolution?

21. In such an establishment as ours, is it not in the last degree proper and useful, openly to mention and avow the parliamentary title, upon the validity of which all our hopes depend?

22. Would it not have been vastly more satisfactory to have openly owned those principles, upon which the popish line is excluded, than to seem to own the principles, by which nonjurors serve their cause, even though we profess to have another cause at heart?

23. In a matter of such universal importance, should not ambiguous words be avoided? Should the words which the enemies of our establishment use be chosen and applauded? Or, if words, either ambiguous, or hitherto used; and still generally understood in a bad sense, must be made use of, is it not highly necessary, that they should be plainly and fairly interpreted, before they are subscribed, especially by a body of men, whom it peculiarly becomes to be open and sincere in the use of words upon such an occasion?

24. May it not be some shock to men who are concerned for our present establishment, and some apology for their not subscribing this address, that hereditary right is not at all explained, and that the plain mention of the parliamentary title is avoided, as if it were a shame to Britons to use the word?

25. Or rather, Is not hereditary right too much, though obscurely, explained? Is it not that hereditary right which is represented (as they complain) as favouring the Pretender? And can this be the right (as some in private pretend) accruing from the late Act of Settlement? Whoever represented that which establishes the protestant succession, as favouring the popish? And is it not plain from this complaint, that the hereditary right here mentioned with satisfaction, is not the right by the late act, of which they have no ground to make any such complaint?

26. If they mean by hereditary right, a right by the last Act of Settlement (as some pretend) why is it not plainly said? Or how can it be expected that all persons should presently join in putting upon a good queen a complement which seems to have something peculiar in it, but in truth hath nothing but what is common to her, with her protestant successors?

27. If any thing else be meant by it, is it not worth while to solve the following problem, whether, supposing her majesty's claim to the crown, by a right distinct from that of the Act of Settlement be undeniable, and indeed preferable to that (as we have been told by some;) this will not unluckily, after her death, make the claim of those popish branches, which are certainly legitimate, much more just than the claim of the protestant branches, which must be entirely parliamentary? Is it not reasonable to dread the force of such a question as this, if hereditary right be a just claim in one, why not in another?

28. Were it only, that the word is generally understood in the sense that hath the worst influence upon our protestant establishment, is not this some reason for not subscribing to it, without a sound interpretation, lest it should mislead our fellow-subjects, or give a handle for Jacobites to mislead them?

29. What acts of parliament are they that affirm and recognize her majesty's title by descent? For affirming, and recognizing, will probably, by most readers, be looked upon as terms peculiar to acts of parliament.

30. In what sense can it be said, that the crown comes to her majesty by descent? Did she succeed immediately to her father? Did she succeed immediately to her elder sister? Did not she succeed, and that by act of parliament, to King William, who possessed the crown some time after Queen Mary's, and after King James's death? Nay, I may ask, would it not have been high treason for any one to have set up her title be-

fore his death? Doth it not rather from thence appear, that the crown came to her by ascent than by descent, since she was higher in the royal line than her predecessor? Is it not therefore some reason against subscribing, that this term of descent is used without sufficient explication?

31. Since all the world knows, that my Lord Bishop of L——n was in arms at the Revolution; since the foregoing letter shews that he defended a forcible resistance to arbitrary power; since in this address, an equal zeal is faithfully promised; and since there cannot be an equal zeal, unless it extend to the same resistance; would not one take this for a proof, that by withstanding must be meant, withstanding by force of arms, if there be occasion? And yet, on the other hand, is not the first paragraph of the address, in confirmation of all our other late slavish addresses; and the irresistible authority in another paragraph; and the avoiding the word resistance, a stronger proof that they designed, at least at present, to be understood to join in condemning resistance in all possible cases? And is it not some excuse for not subscribing, that upon so considerable a point, one either knows not what it is that is to be subscribed, or one knows it to be something which is a full condemnation of the late revolution.

32. Is there not reason enough from the foregoing letter, to believe, what is very credibly reported, that this address was drawn up, and fixed, before the bishop had the small honour paid him of being let into the design?

33. Was it not the right method of proceeding with such an address, to offer a paper to some to set their names to, without shewing the thing itself; to amuse others, before they had time to think, with a plausible discourse of union and reconciliation, and solemn assurances, that it was an address so well designed and contrived, that no one, of what opinion soever, could take any just exception at it; and at the same time, not to summon others, or give them the least notice of the matter? Was not this the right way to work upon some, whose honest good nature is too unguarded and too free from suspicion? And which is most to be admired, the art that was shewn in putting so many ambiguous unexplained words into order, or the art that was used in getting hands to them, when it was done?

34. What occasion was there for them to subscribe, who had never declared themselves upon hereditary right, or irresistible authority, so as to incur the least suspicion of favouring the Pretender, or being enemies to the protestant succession? since the main design seems to have been to clear those who have spoken highest upon those points, from that calumny; in which (it seems) they look upon themselves as deeply involved.

35. Upon the whole, is there any reason for those who refused to subscribe this address to be ashamed of their conduct, or afraid of the pitiful and malicious misrepresentations of a popish, or Jacobite news writer? Shall it be esteemed their dishonour, that they are unwilling to seem to favour those doctrines and terms, which alone carry forward the interest of the popish line here at home; that they cannot think it becoming to set their hand to doubtful expressions, which have been generally understood in a sense destructive to the protestant succession; that they have so deep a sense of the mercy and importance of the late revolution, as not to be willing to put any slur upon it; that they are content to be thought of the same principles which all wise men openly professed at the Revolution; and cautious of signing such declarations concerning titles, and prerogative, and submission, as were, at that time of danger, exploded by their bishop, and detested universally by the whole nation?

The Dissenting Teachers Address to the Junto against the Bill for Building Fifty new Churches, in and about the Cities of London and Westminster: And the Lord W——'s Answer. With some very useful Advertisements. Printed in the Year 1711.

This is a burst of high-church exultation upon the measures taken by Queen Anne's last ministry, for increasing the number of churches in and about the metropolis; which the pamphleteer chuses to represent as a death-blow to the dissenters' interest. History gives the following account of the bill in question.

"The parish of Greenwich having petitioned the House of Commons for assistance in rebuilding their church, a committee was appointed to examine the petition, and an instruction was given them to consider what churches were wanting within the cities of London and Westminster. Upon this, the lower house of convocation sent a solemn message by their prolocutor to the Commons, to thank them for this instance of their regard to the welfare of the established churches, and to offer such lights as they were able to afford in relation to the extreme want of churches in London and Westminster. The Commons immediately resolved, that they would receive all such informations as should be offered in this case by the lower house of convocation, and would have a particular regard to such applications as should at any time be made to them from the clergy in convocation assembled, according to the ancient usage, together with the parliament. Pursuant to this resolution, quickened by a recommendation from the queen, (who had been addressed by the convocation,) they passed a bill for the building fifty new churches, and gave the duty of one shilling a chaldron upon coals, from September 29th, 1716, to September 29th, 1719, for raising the sum of three hundred and fifty thousand pounds for that purpose. This duty had been reserved for building St Paul's, which was now finished. This was the least that could be expected from a House of Commons, chosen, in great measure by the zeal and influence of the clergy, especially as it was apparent that, in the suburbs of London, there were above two hundred thousand people more than could possibly resort to the churches already built."—*Tindal's Continuation of Rapin's Hist. of England*, page 208.

To the truly noble and most magnificent their Highnesses the Lords Protectors of W—gism, F—n—cism, and Revolution Principles.

The humble Address of the poor distressed States of Enthusiasm and Schism,

May it please your Highnesses,

WE, who before always approached this illustrious quinquinvirate with joy and triumph, congratulating our growing interest and power, treading down the scarlet whore, reaping daily the fruits of those victories over the church, which you, our patrons and protectors, so gloriously atchieved for us, do now lay ourselves before your honours, in quite different circumstances; dejected, amazed, confounded; the crown is fallen from our head, the enemy rides triumphantly over it; the church of England appears with new lustre, her first lovers are returned to her, she is taken out of the dust, our honour is laid in it, and how are the mighty fallen?

If this were all, peradventure we could have borne it, and have waited patiently for result of your council, for the fruits of your subtle intrigues, and happy skill in recovering a bad game, who, like the immortal William, though you lose the battle,

can manage so well the retreat, that it looks very like a victory; this prospect would have given refreshment to our drooping spirits, and our hopes of rising again by your help, would have made our fall less grievous to us. But, alas! these hopes will sink, and every thing in view comfortable and cheering will certainly fail us, unless an immediate interruption be given to that irreligious and most diabolical, highflying bill, for building fifty new churches, in and about the cities of London and Westminster; if these churches are built up, depend upon it we are thrown down; increase the number of churches, and that of meetings will decrease: Though your highnesses should be able again to turn the great wheel of government, yet the passing of that bill will give us the fate of turn-spits, to be always at the bottom, though the wheel goes round.

We must be plain with your highnesses, and tell the truth; the notion of our numbers gave us our late power; and this we still urge for a return of it; the fulness of our meetings is the first cause of this notion; that cause will certainly be removed by this bill, and we leave your highnesses to judge what the fate of the effect will be.

Alas! our meetings are not filled with dissenters; we are but a poor contemptible handful of men, not enough to make hardly one handsome assembly; even Salters-hall, if none but dissenters came to it, would, in a few months, be as a pleasant green valley, and the neighing horse might take his pastime therein; but those that chiefly make up our assemblies are either such as are excluded the church by the narrowness of it, or such as have taken offence at their own minister, have quarrelled with the church-wardens, taken it ill that they had not the upper pews, or it may be a vote in the vestry, together with multitudes of fops, who come to see the daughters of our Israel. Thus we toss up a meeting with this strange medley of ingredients, and, like Pontack, call the ragoust one entire dish; a number of new churches will reconcile the dissatisfied, and make our meeting-houses as empty as Newgate after a sessions; or Bridewell, when the day of solemn scourging is over; the proud and lofty ones will be tempted by the offer of the chief seats in the synagogue; the peevish will have choice of ministers, and the disobliged become themselves church-wardens, and have, upon this new establishment, the conduct of parochial affairs, the fops of this world will entice our daughters to go a-whoring after their new inventions: Thus religion will sink, the glory of God will fall away, the good old cause will die again, enthusiasm will be bankrupt, schism become a laughing-stock, revolution principles fall as low as the mine adventure, and the espousers of them will be esteemed less dangerous than the corpse of Guiscard;¹ and, like that, be shewed only for a sight, and it may be in pickle too.

We have been seeking the Lord greatly for a remedy against this impending evil; yea, very greatly have sought him; and the spirit guides us to you, to you, most illustrious patrons, you have worldly cunning, and can defeat the designs of religious enemies; you can break the measures of Achitophel, catch the fox in his crafty wiliness, and hold his head in a string gloriously.

And moreover, how did our hearts rejoice at the frequent declarations from the throne, and assurances from the parliament (when you frightened the one, and b—b—d the other unto what you pleased) that the toleration should be inviolably maintained: Behold, now it is encroached upon; that good Christian liberty will, in a manner, be taken from us; and by this jesuitical artifice of building new churches, the design of it wholly defeated; for, alas! to what purpose do they tolerate our meetings, if they tempt from us the greatest part of those that compose them? There must be some se-

¹ The body of Guiscard, who attempted to assassinate Harley, the Earl of Oxford, at the council-table, was long exposed to the sight of the curious, after the assassin had died in jail of the wounds received from those who secured him.

cret intention, to do injury to God's elect; to take away the dominion of the good peaceable saints, and reduce us to our poor primitive inconsiderableness here on earth.

How also will the Pretender rejoice, when the news reaches him that so many popish chapels are preparing for him, that his interest prevails, and ours, his only enemies, declines; this will certainly encourage him to make a second invasion; then will the bank tremble, the India company shake, credit sink, trade fall away, the lotteries not be drawn, and an universal deadness seize every thing that animates and keeps alive the grand alliance; and shall this be done for a few ungodly steepled edifices, fit only, as our fathers have shewn us, to be plundered, and turned into stables?

Give us leave to be a little earnest with your highnesses upon this occasion; we apprehend more mischief to ourselves from this diabolical bill, than we did from that to prevent occasional conformity; this will touch us in the tenderest part, and bring inevitable ruin to us: Where are the Kings, the Lechmeres, the Jekils,¹ and all the noble patriots of s—hism and fact—n; stir them up, most noble lords; tell them 'tis the cause of God that wants their help; let them buckle on the old armour of assurance, let them take the helmet of obstinacy, the shield of scandal, and the sword of religious cant, and cut down these builders of Babel, confound the enemies of the elect, and restore us to our late dominion and glory.

We humbly recommend your highnesses to the most ample portion of grace, and earnestly pray for a blessing upon all your undertakings; which (give us leave to assure you) will be greater or less, as you are zealous in this most important and most religious affair.

The Lord Wharton's² Answer.

What the devil would you have us do? You know we have no more interest than so many journeymen taylors; go home, and be quiet, let them build churches if they will, and be damned; the more they build, the more we shall have to plunder, when we get uppermost again, and let that glorious prospect content you.

Advertisements.

I. The elders of the meeting-house in Stepney-Fields do hereby give notice, that it will be let or sold, upon the building of three new churches in that parish; it is a large room, and very convenient for a cow-house, or a quantity of hay, hemp, oak-hum, and old or new ropes; if they can agree for the galleries, it is extremely commodious for a musick-room; there are in it divers private recesses, very curiously fitted up, for any diversion that requires secrecy.

II. Whereas there is a malicious report, that the reverend Mr T—gue, minister of the gospel, has given over answering questions in divinity, and solving cases of conscience, this is to inform the publick that the said report is false, and that Mr T—gue does continue still to give answers, and hear cases at very low and reasonable rates, at his house, from nine to ten. Beware of counterfeits; he is a middle-sized man, wears a copper-coloured coat, has great interest with the old ladies, and loves Bohea tea wonderfully.

III. There is now in the press, and will speedily be published, a Treatise, shewing the Duty of every Christian Audience, immediately to go out of the Church when the

¹ All eminent lawyers of the whig party.

² The profligacy of the Earl, afterwards Marquis of Wharton, was notorious, though eclipsed by that of his son, the celebrated Duke.

Preacher advances false Notions, and contrary to the old established Doctrines of Christianity, dedicated to the Mayor and Aldermen of Salisbury, with the Author's humble Service to Mr G—sh.

IV. Whereas Mr Showre,¹ teacher of God's word, did formerly resolve not to come over to the church of England, for a living of less value than his conventicle; upon second thought, he will comply for 200*l. per annum*, if any patron, either of the laity or clergy, has a living of that value to dispose of, with a fine house and gardens, and paid easily, he believes he shall accept of it, and is to be spoke with at his house from nine to twelve of the clock, and from three to six.

N. B. *He does not care how soon this matter is over.*

V. Mr M—uit, near St Mary Magdalen's church, having let his meeting-house, has a pulpit little worse for wearing to dispose of; it will make, with small alteration, a very curious beaufet: There are already in it very pretty conveniences, which he formerly used for his bottles, pipes, cards, and cribbage-boards; these may easily be converted to more elegant uses, and will be sold a pennyworth.

Just published,

A Plea for the Pirates of Madagascar, in which it is proved that they have as good a Right to Pardon and Preferment, upon the Account of their Money, as the Whigs in Great Britain, and that to get an Estate by Piracy in those remote Seas is a less Crime, than to raise a Fortune by betraying our native Country, plundering the Publick, misapplying, or not accounting, for thirty-five Millions: Dedicated to the Author of the Medley.²

A trunk-maker having left off his trade, hath part of his stock yet to dispose of, consisting of several sermons and pamphlets, to be sold by the pound, viz. Almost the whole edition of a sermon, entituled the Sea Assize; and a great number of Latin things about Sion College; fifty ream of letters to Dr Sacheverel, by an inferior clergyman, by an Oxford gentleman, and another by a fellow at Cambridge, and vast quantities of the curate of Salop's Satire upon St Paul; together with the entire edition of the Vindication of the City Clergymen, who refused to sign the Bishop of London's late address, and acknowledge the queen's title to the throne of her ancestors, and abjure the Pretender; with many other pieces by the scribbling abettors of popery and faction.

¹ Brother of Sir Bartholomew Showre, and a dissenting clergyman.

² The Medley was a whig paper of the day, conducted by Oldmixon, with the assistance of Mainwaring and others.

Joh. Alphonsi Turretini Pastoris, S. Theol. et Hist. Ecclesiast. Professoris, Academiae p. t. Rectoris, de variis Christianae Doctrinae Fatis, Oratio Academica, Dicta statis Academiae Genevensis Solennibus, vi. Maii, An. MDCCVIII.

An University Oration concerning the different Fates of the Christian Religion. Spoke in the Publick Act of the University of Geneva, the eleventh Day of May, A. D. MDCCVIII. By John Alphonsus Turretin, Pastor, Professor of Divinity and Ecclesiastical History, and Deputy Rector of the University.

Printed in the Year 1709.

Illustrissimae Societatis quae ad propagandum Evangelium sub Regiis auspiciis in Anglia instituta est reverendissimo Praesidi Thomae, archiepiscopo Cantuariensi, Totius Angliae Primati et Metropolitano.

Admodum Reverendis Vice-praesidibus caeterisque nobilissimis et praestantissimis membris, viris Doctrina, Pietate, Virtute ac Zelo conspicuis, quorum pia sollicitudine et munificentia vere Christiana plurimae jam ecclesiae erectae, scholae fundatae, Evangelii Praecones ad infideles missi et stipendiis aucti, libri pii editi ac disseminati, sicque Christi cognitio longe lateque per orbem sparsa. Indefessis rei Christianae promotoribus veris, temporum nostrorum apostolis: Hanc de variis Christianismi fatibus orationem, in summam venerationis observantiae perpetuae, gratissimae ac devotissimi Animi Signum D.D.D.

JOH. ALPHONSUS TURRETINUS, Socius.

Oratio de variis Christianae Doctrinae Fatis.

Viri Amplissimi, Patriae Patres, Comites Illustrissimi, Barones Generosissimi, Clarissimi Collegae, de Ecclesia et Academia, quibus praestis, optimè meriti, Hospites, Cives, quotquot adestis, praestantissimi, humanissimi, Vosque, Academiae et Scholae nostrae alumni dilectissimi.

De variis Christianae doctrinae fatibus, qualis à Christo primum apostolisque tradita sit, qualis sequentibus aëvis propagata, quibus accessionibus aucta, quibus fraudibus adulterata, quibus auspiciis, beatæ nostrae Reformationis tempore, ab integro velut instaurata, quonam deinceps in statu hodierno die versetur, et ad ejus illustrationem quid maximè exoptandum sit, breviter dicere in animo est. Cujus quidem consilii rationes, si hic in limine exponere, et apud vos asserere gestiam, equidem actum agere, vobisque injurius esse videar. Nec enim hic res vulgaris agitur, aut ad nos parum attinens, non humanum institutum, non de trivio disciplina, non terrestriis cujusdam reipublicae vices ac fortuna, sed ipsamet dei oracula, ab unigenito filio prodita, sed sapientia coelestis, ad nos beandos comparata, sed eximiae illius politicae, quae Regnum Coelorum audit, incunabula, progressus, bella, pericula, hic describentur. Fateor equidem, Auditores, fateor divinis humana, genuinis adulterina, heu! nimium hic accessisse: Unde, qui rei Christianae fata oratione persequi velit, humanorum simul errorum, figmentorum, lapsuum, odiorum, dissidiorum, texere historiam necesse habeat; verum et hæc juvat dig-

To the most Illustrious the Society for the Propagation of the Gospel in Foreign Parts, by Royal Authority established in England: To the most Reverend the President Thomas Lord Archbishop of Canterbury, Primate and Metropolitan of all England.

The reverend the vice-president, and all the most noble and excellent members, men eminent for learning, piety, virtue and zeal, by whose pious care and truly Christian munificence, many churches are already built, schools founded, preachers of the gospel sent to the infidels, and stipends allowed them; many pious books put out and dispersed, so that the knowledge of Christ is thereby far and near spread through the world. To these unwearied promoters of Christianity, the apostles of our times, in token of my great veneration, my perpetual esteem, and of my most thankful and most entirely devoted mind to serve them, this is humbly dedicated by me,

JOHN ALPHONSUS TURRETINUS, a Member of the Society.

An Oration concerning the different Fates of the Christian Religion.

Most honoured Sirs, and Fathers of our Country, most illustrious Earls, most generous Barons, my most famous Colleagues, so well deserving of the Church and University, over which you do preside, most excellent and kind Foreigners, and others who are here present, and you most loving Members of our University and School.

My design is to speak in short of the different fates of the Christian religion; how it was first delivered by Christ and his apostles; how it was propagated in the following ages; what accessions were made to it; what frauds did adulterate it; and by what methods, in the time of our happy Reformation, it was restored, and as it were began anew; and, lastly, in what state it stands at present, and what is yet to be wished for its further improvement. If I should set about to lay before you, in the beginning of my discourse, the reasons which moved me to this design, and should bring arguments to support it, I should do a thing which has been done before, and I should but too much trespass upon your patience. Now the subject of my discourse is not matter of vulgar moment, and what does but a little concern us; it is not the relation of any ordinary government, nor an account of the vicissitudes and revolutions of an earthly commonwealth, but of the revelations of the Almighty God, delivered unto us by his only begotten Son, of that wisdom which is from Heaven, and which was designed for the making us happy; and you shall have described to you the rise, the progress, the conflicts and dangers, of that admirable polity which is entitled by no less a name than that of the kingdom of Heaven. Indeed, sirs, I must confess, that several human things have too much mingled with these divine ones, and many things spurious with what is genuine: So that he that will relate the different fortunes of the Christian commonwealth, must, together with that, write a history of the mistakes, the fictions, the miscarriages, the animosities of Christians. But, however, it will be worth our while to take a view of these things, that the gold may be separated from the dross, that truth may be distinguished from falsehood, as being more ancient, and retaining more of the primitive institution. For truly, sirs, whilst we cast our eyes upon the present condition of the church, whilst we make a diligent enquiry into the

noscere, ut pretiosum à vili, ut veritas à mendacio, vel hoc ipso quòd antiquior, et primæ institutionis retinentior, secernatur. Enimverò, Auditores, dum in hodiernum ecclesiæ statum oculos conjicimus, dum in eorum omnium, qui Christi nomine censi volunt, placita, ritus, disciplinam, totam denique vitæ rationem, attentius inquirimus, dum Ethnicismum multis in partibus sub Christiana larva redivivum, dum miseras scholæ argutias Christianæ veritatis nonnisi mentientes, dum luxatam et sine nervis ubique fermè Christi disciplinam, dum humanam contra tyrannidem pro Christi jugo falsò venditam, dum internecina illorum odia, qui se pacis filios nuncupant, dum Christi ecclesiæ, quæ patet orbis, scissam in partes atque laceratam, dum denique Christianorum mores, quos sanctissimos esse decuerat, ita remissos, non dicam, sed perditos, ut ethnicis parùm sint absimiles, dum hæc, inquam, seriò perpendimus, profectò, ut quod res est dicam, turbatur animus, vacillat fides, de evangelii divinitate non levia suboriuntur, mentemque trahunt, dubia; donec ad originem ipsam adscendentibus, et, juxta vatis monitum, vias antiquas explorantibus, servatoris illud succurrat. In principio sic non fuisse; exindeque de sæculo in sæculum descendentes, quid quòque tempore mutatum fuerit, quid additum, quid detractum, quid, vel humana imbecillitate, vel nefario ausu, interpolatum, observemus. Christe, cujus causa hic agitur, dicentis animum linguamque dirige; nobisque omnibus ita adspira, ut evangelii tui puritatem, ab humanis secretam vindicatamque corruptelis, tanto impensius colamus, tanto studiosius custodiamus, tanto diligentius factis impleamus, quanto distinctius perspecta fuerit. Vos verò, quotquot hic adestis, Auditores Præstantissimi, de amplissimo argumento brevissimè differentem, nec nisi summa fastigia legentem, patientia, quæso, vestra, et attentione, sublevate.

MUNDUM, ipso statim initio, purum sceleris ac felicissimum, postmodum in deterius per varios gradus collapsum, significaturi poetæ, illum in varias ætates, suis signatas metallis, distribuerunt. Idem verò Auditores, de re Christiana, non semel, nec immeritò, proditum est. Fuere variæ illius ætates, quæ, quò longius à primæva recesserunt origine, eò plus fæcis ac sordium contraxisse deprehenduntur.

Aurea prima sata est, Christò magistrò, præconibus apostolis. Mox *argentea* successit, per tria prima ecclesiæ sæcula. Hinc *ænea* paulatim facta est, humani ingenii audaciâ sine modo lasciviente, et sæculi pompâ, superbiâ, æmulatione, dissidiis, in ecclesiæ irrupentibus. Exinde, tanta superstitio, tanta tyrannis, tanta barbaries, tanta, non dicam, morum depravatio, sed in vitiis obduratio, sæculò imprimis X. et sequentibus, in ecclesiæ invasere, ut *ferrea* tempora fuisse, ipsi illi quorum minemè intererat, fateri cogantur. Dum verò hæc ita essent, en subito purgata apparuit crassioribus sordibus fides, ferrumque sæculi, felici alchymiâ, si non in auri penitus, in *argenti* certè speciem, conversum. Hæc summa rerum: Verum hæc omnia distinctius enarranda sunt.

1.
Ætas aurea,
ab Christo
et apostolis.

Mat. xix. 27.
Ps. xlv. 14.

Auream igitur, sub Christo et apostolis, rei Christiani ætatem fuisse, nullus, ut puto, inficias iverit: Non quòd auro, non quòd purpurâ, non quò opibus ac dignitatibus, divinus ille chorus splenderet; nec enim his eminuit Christus; et, *Ecce reliquimus omnia*, apostolorum symbolum fuit. Verum intus, beatò illò sæculo, filiæ sionis fuit gloria; intemerata nimirum doctrinæ sinceritas, puritas cultus, disciplinæ sanctitas, vitæ innocentia; res auro quovis pretiosiores, et quibus felix hæc ætas reliquis omnibus ætatibus longo intervallo præcelluit. Ante actis temporibus, densissima in caligne versabatur humanum genus. Ethnicis, relictò parente et constitutore omnium Deò, non astra modò sensus expertia, non homines modò defunctos, et plures quidem vitiis ac sceleribus

opinions, the rites, the disciplines; in a word, the whole tenour of the lives of those who call themselves Christians, whilst rather they profess heathenism springing up again under the guise of Christianity; whilst they maintain the subtilities of the schools for the truth of Christ, whilst the nerves of Christian discipline are loosened; whilst the tyranny of man is set up in opposition to the cross of Christ, whilst a mortal hatred reigns even in the mind of those who profess themselves to be the sons of peace; whilst the church of Christ is all over the world torn into pieces; whilst the manners of Christians, which ought to be most holy, are not only remiss, but, if I may so say, profligate, and not much different from those of the pagans: I say, whilst I seriously consider these things, I will take upon me the boldness to say the truth, one's mind is unsettled, one's faith wavers, and distracting doubts arise even concerning the divinity of the gospel; till we go up to the fountain's-head, and, like the prophet, ask "for the old paths," and remember what our Saviour says, "from the beginning it was not so:" And from thence going down from one age to another, make a nice observation at what time any thing was changed, what was added, what was laid aside, or what was brought in, either through human weakness, or by wicked design. And do thou, O Christ, whose cause I am here pleading, direct both my mind, and my tongue, and so inspire all of us by thy grace, that by how much the more we have a distincter knowledge of the purity of thy gospel, so we may the more heartily love it, more circumspectly observe it, and in all our actions more diligently fulfil it. And you, most excellent auditors who are here present, I beseech you to hear me with patience and attention, whilst I shall speak a few words, touching only upon some general heads of this spacious subject.

THE poets having a mind to represent, that the world was free from wickedness in the beginning, and in a state of happiness, did divide it into several ages, which they named by the names of the different metals. And truly, sirs, the same has been frequently, and not without good reason, applied to the affairs of the Christian religion. For there have been likewise several ages of this, which the farther they have departed from the first original, so much the more of dross and dregs they have contracted.

The first age was a golden race, who learnt their religion from Christ their first master, and from the preaching of his apostles. After this succeeded the silver one, which continued for the first three ages of Christianity: That is, by little and little, was turned into brass, as men indulged themselves in bold fancies in religion, and secular pomp, pride, contentions and divisions broke into the church. Hence came so much superstition, so much not only depravation of manners, but such a hardness in wickedness over-run the church in the tenth and the following ages, that they themselves, who had no interest to say it, are forced to affirm, that those ages were iron ones. But when things were in this condition, behold of a sudden our religion appeared purged from those gross errors which it had contracted, and the iron age, by a very happy chemistry, was turned, if not into gold, yet at least into silver. This is the substance of my present discourse; the particulars of which are now more distinctly to be spoken to.

I think no one will deny, that the golden age of Christianity was under Christ and his apostles: Not as if those divine persons shone with gold or purple, or riches or honours, nor was Christ himself remarkable for any of these: "Behold we have forsaken all," was the apostles' motto. The daughter of Sion was all glorious within in that happy age: That is, the church enjoyed incorrupted truth of doctrine, purity of worship, holiness of discipline, innocence of life, things more precious than any gold, and wherein this happy age did by many degrees excel any other. For, in the times preceding these, mankind was clouded in the thickest darkness: The heathens, forsaking God the Father and Maker of all things, worshipped not only the insensible stars, and

1.
The golden
age under
Christ and
apostles.
Mat. xix. 27.
Psal. xlv. 11.

Vid. Arnob.
Lib. 4. et
Augustin. de
Civ. Dei, Lib.
3, 4, &c.
Vid. Tan. Fa-
bri epist. lib.
I. epist. 40.

Joh. iv. 21.

bus infames, sed animantia bruta, sed hortorum suorum plantas, sed ligniæ et lapidea digitorum suorum figmenta, sed vilissimos affectus, ut venerem, pavorem, discordiam, impudentiam, sed corporum morbos, ut febrim, sed merum non ens, ut fortunam, sed ineptissima numina, vel minimis rebus præposita. ut Deam Petam rebus petendis, Deam *Patellam* et *Patellanam* rebus patefaciendis, Deam *Pelloniam* hostibus pellendis, Deam *Pandam* viæ pandendæ, Deam *Putam* putandis arboribus, Deum *Nodutim* rebus satis ad nodos perducendis, Deum *Terensem* frugibus terendis, quin et *Lubentiam* et *Commoditatem*, *Ferculam* et *Saturitatem*, parasitorum deas, et quas non ineptias? Venerabantur. Judæi, gens olim Deo sacra, in varias divisi sectas, errorum ac superstitionum non uno genere inquinabantur. Utrisque mores impurissimi, ac in omne projecti nefas, quos nec humana leges, nec sæculi philosophia, nec Mosaica disciplina, nec propheticæ monitiones, emendare satis voluerant. Tu verò, Christe, splendor Patris, lux mundi, Sol Justitiæ, Tu caliginem illam dispulisti. Tu, ab idolis mortuis, ad verum nos Deum revocasti. Tu Deum mentem esse, adeoque mente purâ ac sincerâ colendum, apertissimè prodidisti. Tu pietatis, justitiæ, benignitatis, mansuetudinis, patientiæ, modestiæ, omnium denique virtutum, et præceptor humano generi, et exemplar existitisti. Tu erratorum omnium veniam à numine impetratus, Te hostiam piacularem loco nostro obtulisti; utque immortalitatis spem nobis ingenerares, ipse, fractis mortis repagulis, Te redivivum, ac cœlo receptum, claris indiciis demonstrasti. Tu, in te recumbentes, tuumque ad præscriptum atque exemplum vitam emendantes. Deo propitio frui, et bono animo esse jussisti. Tu, æterna piis supplicia, denuntiasti. Tu, Deum nobis, nos Deo, efficacissimè conciliasti. Tu denique cœlestem sapientiam verè in terras detulisti; nosque, humano in corpore, verè divinam, traducere vitam docuisti; donec, superatis hujus exilii diebus, in meliorem transcribamur sortem, et Dei ipsius consortio ac deliciis æternum fruamur.

1 Cor. xi. 6.

2 Cor. x. 4.

1 Cor. xi. 4.

Joh. xvii. 3.

Eph. iv. 24.

Gal. vi. 15.

Gal. v. 6.

Jacob. i. 27.

Act. ii. 41, 42.

2 Cor. i. 24.

Talis, Auditores, talis fuit primæva Christianismi facies. Talia arcana illa cœlestia, quæ ex paterno sinu unigenitus filius produxit. Talis ἐν τοῖς τελείοις σοφία, quam viri rudes atque ignobiles, piscatores, artifices, nullo generis, nullo opum, nullo dignitatum, præsidio, non carnalibus armis, non suatoriis humanæ sapientiæ sermonibus, nulloque non obstaculo, periculo, supplicio, pressi, intra paucissimorum annorum spatia, per totum orbem terrarum disseminarunt. O reddite mihi illa tempora, quibus ipsamet veritas, humanis induta pannis, nullis errorum, nullis affectuum nebulis violata, sese mortalium oculis conspiciendam præbuit! Non multa tunc credendorum capita Christianorum mentibus imposita; sed unius veri Dei, et ab eo missi Christi, cognitione, tota fidei ac salutis summa constabat. Non humanis tunc argutiis, non metaphysicis disquisitionibus, ex Zenonis, vel Platonis, vel Aristotelis schola depromptis, Christiani exercebantur; alia longè fuit, mihi credite, cœlo delapsa disciplina; non ad scholam nata, sed ad vitam; plana, facilis, simplex, omnium captui adtemperata. Non subtilis tunc arcanorum divinorum investigatio, non temeraria rerum supra nos positarum determinatio, non iracunda de quæstionibus etiam levissimis altercatio, sed novus homo Dei verbo genitus, sed fides per charitatem operans, sed vera religio in solandis miseris, et vitandis mundi sordibus posita, sed, ut verbo omnia complectar, divinarum virtutum effigies in animis efformata, Christianum constituabat. Tunc, non multiplices ritus, non operosæ de rebus externis ab hominibus factæ præceptiones, Christianorum cultum onerabant; sed precibus, verbi præconio, unda salutari, panis fractione, tota Christiana sacri celebritas fiebantur. Tunc, fidei dominari, imperium in hæreditates do-

dead men, many of which were notorious for their vicious lives, but even brute animals with plants of their garden, and wooden and stone images, which their own hands had made, but even they gave divine honour to the vilest affections, such as love, fear, discord, impudence, the diseases of the body, as febris, nay, even to non-entities, as fortune; they having several other ridiculous deities set over the minutest things, as the goddess Peta for asking things; the goddess Patella and Patellana for opening things, the goddess Pellonia for drawing away the enemy, the goddess Panda for opening a way, the goddess Puta for pruning trees, the god Nodutis for making fruit to knot, the god Terensis for grinding corn; nay, moreover they worshipped Lubentia Commoditas, Ferula, and Saturstas, the trencher-men goddesses, and indeed what other fooleries did they not? The Jews, heretofore God's chosen people, being divided into various sects, were polluted with divers kinds of errors and superstitions: Both of them were very impure in their morals, and so prone to all wickedness, that neither human laws, the philosophy of that age, nor the discipline of Moses, nor the exhortations of the prophets, could amend them. But thou, O Christ, the glory of the Father, the Light of the World, the Son of Righteousness, thou hast dispelled this darkness. Thou hast called us back from dead idols, to serve the living God. Thou hast clearly discovered, that God is a Spirit, and that those who worship him must worship him in spirit and in truth: Thou wast the great master and example of mankind, of piety, justice, bounty, meekness, patience, modesty, and in a word, of all virtue. Thou, to procure a pardon from God for our sins, didst offer up thyself a sacrifice in our stead, and that thou mightest beget in us a hope of immortality, thou breaking through the bars of death, didst, by the most manifest discovery, shew thyself to have arisen from the dead, and to ascend up into heaven. Thou hast given encouragement to all those who put their trust in thee, and amend their lives according to thy prescript and example, that God shall be reconciled to them. Thou hast promised eternal rewards to the good, and threatened everlasting punishments to the bad. Thou hast, in the most efficacious manner, reconciled God to us, and us to God. In a word, thou hast brought down the true heavenly wisdom upon earth, and taught us to live a truly heavenly and divine life in a human body; till, having passed these days of our pilgrimage here, we shall be translated to a better inheritance; and enjoy the conversation and delights of God himself for ever.

Such, sirs, was the primitive face of Christianity: Such were those divine secrets which the only begotten Son discovered out of the bosom of his Father. This is that wisdom among them that are perfect, which poor illiterate men, most of them fishers or handicraftmen, having no advantage from birth, or from riches or honours, but by weapons not carnal, and not with enticing words of man's wisdom; notwithstanding all the difficulties, dangers, and tortures which they conflicted with, within the space of a few years, spread throughout the whole world. O give me back those times, wherein truth itself, clad in human rags, shaded by no clouds of passion, gave a clear view of herself to mankind! Numerous articles of faith were not then imposed upon men's understandings, the whole sum of faith and salvation consisted in knowing the only true God, and Jesus Christ whom he sent. Christians then were not exercised in human quirks, and metaphysical disquisitions, drawn out of the school of Zeno, Plato, or Aristotle. Believe me, the discipline which came from heaven was far different from this, not adopted for the school, but for life; plain, easy, simple, and attuned to the capacity of all men. It was not a subtle hunting after the secrets of God, it was not a bold determination of matters above our reach, it was not an angry quarrelling about trivial questions, but the new man which is after God created in righteousness, but faith which worketh by love, but that pure religion which consisted in visiting the fatherless and widows, in their affliction, and keeping themselves unspotted from the world; in a word, it was the image of the divine virtues, formed in the mind of man, which made up the Christian. Then no multiplicity of ceremonies, no

Arnob. Lib.
4. Aug. Civ.
Dei. Lib. 3,
4.

Vid. Tang.
Fab. Epist.
Lib. 1. Epist.
10.

John iv. 24.

1 Cor. ii.

2 Cor. x. 4.

1 Cor. ii. 4.

John xvii. 9.

Eph. iv. 24.
Gal. vi. 15.
Gal. v. 6.

1 Pet. v. 5. mini exercere ipsimet, apostoli divinitus licet adflati, nefas ducebant; sed gregem sibi concreditum pascere, et fidelium gaudium famulari, unica ipsis erat gloria. Tunc, si
 1 Cor. v. 11. quis frater appellatus, vel fornicator, vel maledicus, vel avarus, vel idolatra, vel ebrius,
 2 Thess. iii. 14. vel rapax esset, ne cum illo quidem cibos capere, ne illi quidem salutem dicere,
 2 Joh. 10. Christianis integrum erat. Tunc, Christianis omnibus, unus animus, una mens fuit;
 Act. iv. 32. neque sua omnia in commune conferre, sicubi opus esset, ipsos pigebat. Tunc, si qua
 Act. xi. 44, 45. fortè inter ipsos emergerent sententiarum divortia, modò fidei summa salva esset, non statim res in nervum erumpere, non statim à se mutuò discedere, non statim sibi mutuò anathema dicere, sed se invicem tolerare, sed ingenio potiores debiliorum nævis parcere, sed omnes in jam cognitis eadem incedere regulà, usquedum ignota cœlitus illucescerent, conspiciebantur. Tunc denique, ne plura jam addamus, non tam Christi mysteria nôsse, non tam illa profiteri, non tam de iis disserere, disputare, altercari, quàm Christi vitâ vivere, quàm ejus spiritu duci, quàm ad ejus exemplum componi, Christianæ rei caput et complementum censebatur.

II.

Ætas Argentea, tribus primis Ecclesiæ sæculis. Hieron. ad Demetr.

Et ita quidem se se res habuit, beatò illo sæculò, quod Christi Domini in terris præsentia, et apostolorum præconium, illustravere. Neque verò statim ab apostolis, imò neque per aliquot sæcula, multum de pristino illo delibatum est ecclesiæ splendore; dum scilicet *Domini nostri adhuc calebat cruor, et fervebat recens in credentibus fides*, ut cum hieronymo verba faciamus. Nec enim hîc fœdam illam moramur *Gnosticorum* colluviem, cum suis illis *Æonum* conjugis, abditâque, si deo placet, et clam ab apostolis tradita sapientia; uti nec *Cerdonis*, *Marcionis*, *Manetis*, aliorumque deliria: Eos quippe, præter nomen, Christiani ferè nihil habuisse, quicquid de illis cognoscitur, abundè probat. Verùm ad ecclesiam ipsam quod attinet, summa rerum eadem mansit, fides eadem, idem cultus, eadem disciplina, nec modica Christiani spiritus, Christianarumque virtutum, in fidelibus mensura. Fuere tantùm nævi quidam, si modò hîc substitissent, tolerabilis futuri; unde ætas ista *argentea*, anro quidem deterior, sed pretiosior ære, à nobis appellata est.

Doctrina: Iren. lib. 1. cap. 2. Tertull. de Præscript. cap. 13. Id. de virgin. vel. cap. 1. Novatian. de Trinit.

Fidem quæris? Non alia fuit, quàm quæ in vulgato symbolo, *apostolico* dicto, exhibetur quemadmodum apud *Irenæum*, *Tertullianum*, *Novatianum*, aliosque, cernere est. Non alia tum vivebatur fide, non aliam docebant antistites, nec tingendi profitebantur. "Hæc regula fidei una omninò erat, sola immobilis et irreformabilis, quam ecclesia per universum orbem usque ad fines mundi seminata, ab apostolis eorumque successoribus acceperat, ac diligenter custodiebat; adversus quam nihil scire, omnia scire fuit, ut ipsissima *Irenæi et Tertulliani* verba usurpemus." Interim, non paucos hujus ævi doctores ingenio nimis indulsisse, et, tum ob philosophiam ethnicam, præsertim Platonicum, Christianæ doctrinæ admixtam, tum ob linguarum originalium, in plerisque, ignorationem, tum ob allegoriarum studium, quibus ad ineptiam usque indulgebant, tum ob mirorum amorem immodicum, tum ob fervidum, præceps, ac modi nescium ingenium, in variis cespitasse, adeò ut *ingenium suum ecclesiæ sacramenta facerent* (quod de *origene* in primis notatum) nemo nisi immoderatus veterum admirator potest negare.

Hieron. prælib. 5. comm in Esa.

Cultus. Just. Mart. Apol. 2. Tertull. Apologet. cap. 39.

Cultum postulas? Idem quoque fuit, saltem si ad rerum summam attendamus, quem tradiderant apostoli, prout à Justino Matyre, Tertulliano, aliisque, illum accuratè describentibus, docetur: Preces nempe, gratiarum actiones, hymni Deo et Christo cantati, scripturæ lectio, lectæ expositio, baptismus, eucharistia. Additæ tantummodo

operose commands made by men concerning externals in religion, did load the worship of Christians, all the solemnity of the Christian Sacra did consist in prayers, preaching of the word, baptism, and breaking of bread. Then to exercise dominion over the faith, and to be lords over God's heritage, the apostles themselves, though divinely inspired, thought it a great crime; their only glory was to feed the flock committed to their charge, and to minister to the joy of the faithful. If any one that was called a brother, were a fornicator, or covetous, or an idolater, or railer, or a drunkard, or an extortioner, with such a one the Christians were not to eat. Then among all Christians there was one heart and one soul; nay, when there was occasion, they did not think it much to have all things in common. Then, if there arose among them any difference of opinions, if the chief points of Christianity were not thereby affected, they did not presently fly to imprisonments, nor yet to separations nor excommunications; but they bore with one another, those who were strong gave way to the infirmities of the weak; and all were observed to walk in the same rule, in all things known to them, till God was pleased to reveal other things to them. And, lastly, to add no more, than the chief matter of Christianity was reckoned, not so much to know the mysteries of Christ, and to make profession of them; not so much to make dissertations concerning them, to dispute and wrangle about them; as to live the life of Christ, to be led by his spirit, and to be formed after his example.

This was the condition of the church during that happy age, which our blessed Lord was pleased to grace by his presence, and the apostles by their preaching. Neither was their much abated of the ancient beauty of the church, in the times immediately after the apostles, nor indeed for some ages after them, whilst (as St Jerom speaks) our Lord's blood was warm, and the faith being then but new, was fervent in believers. There can be no objection against this truth, drawn from the spawn of the gnostic hereticks, with the conjunctions of their Æons, and their occult wisdom, which they pretend they learned privately from the apostles; nor yet from the dreams of Cerdon, Marcion, Manes, and others; for 'tis plain, from all that we are able to learn of these people, that they retained nothing of Christianity but the bare name thereof. But as to what concerns the church, it was, as to the main, the same as before; the same faith, the same worship, the same discipline, and no small share of Christian spirit and Christian virtues were in believers. There were only some little blemishes, which, if they had not grown greater, had been tolerable: From which this age, which being worse than the Golden, and better than the Bazen, is by us called the Silver one.

Do you ask after the faith of this age? It was no other than what was contained in the creed called the apostles, as we learn from Irenæus, Tertullian, Novatianus, and others, men lived by no other faith, the ministers of the gospel taught no other, and no other was professed by those who were to be baptized. "This was the only rule of faith, immovable and unalterable, which the church propagated to the ends of the world, received from the apostles and their successors, and doth diligently keep it; to know nothing contrary to whose doctrines, to know all things, to speak in the words of Irenæus and Tertullian." In the meanwhile, no one but who is an immoderate admirer of antiquity can deny, but that the doctors of this age gave too great a loose to their wit, partly on account of the ethnick philosophy, especially the Platonick, which they had studied and mixed with the Christian doctrine, partly upon account of the ignorance of most of them in the oriental tongues; partly on the score of their study of allegories, which they indulged even to fooleries; partly upon account of their extraordinary fondness for miracles, and partly that many of them being of a hot, bold, and ungovernable wit, it lead them into various errors; so that they made their wit (which is remarked of Origen above any other) the sacraments of the church.

Do you enquire after their discipline? This also was the same, as to the main, that was taught by the apostles, as we are informed by Justin Martyr, Tertullian, and

Act. ii. 41,
42.

2 Cor. i. 24.
1 Pet. v. 3.

1 Cor. v. 11.
2 Thes. iii. 14.
2 Joh. x.

Act. iv. 32.
Act. ii. 44.

Rom. xiv.
1, &c.
Phil. iii. 15,
16.

II.
The Silver
Age, during
the first three
ages of the
church.

Hier. ad
Demetr.

Doctrine.
Iren. lib. 1. c.
2. Tert. de
Præscript.
cap. 13.
Id. de virg.
vel. cap. i.
Nov. de
Trin.

Hier. Proce.
lib. 5. Comm.
in Esa.

Worship.
Just. Mart.

certull. de
oron. cap. 3.Tertull. Apo-
loget.

Minut. Felix.

ceremoniæ nonnullæ, illo quidem tempore non malæ, imò piæ quædam ac utiles, sed quas postmodum in immensum auxit, atque in deterius vertit, sequioris ævi superstitio: velut *martyrum natalitia* pio quidem fine, sed infausto successu inducta: velut *preces pro defunctis*, precariæ quidem illæ, et idoneo fundamento cassæ sed diversissimæ etiam ab iis quæ postmodum usurpatæ sunt; si quidem fiebant pro omnibus, etiam martyribus, etiam apostolis, quos summa adeptos nemo ambigebat: velut *signaculum crucis*, ad omnem progressum atque promotum; ad omnem aditum et exitum, ad vestitum, ad calceatum, ad lavacra, ad mensas, ad lumina, ad cubilia, ad sedilia, et quando non? signari consuetum; velut *osculum pacis*, post preces finitas apponi solitum: velut, in *baptismo*, *trina immersio*; solemnitas atque iterata, de *nuntio misso diabolo* et pompæ, et angelis ejus, apud antistitem facta contestatio; lactis et mellis prægustatio, qua *infantari* dicebantur; unctio; manuum impositio à communi lavacro per hebdomadem abstinentia; vestis candidæ illa hebdomade gestatio, unde *candida cohors* apud *Cyprianum* et *Dominica in albis* dicta: velut, in *eucharistia*, symbolorum oblationes à fidelibus factæ; hinc preces pro omnibus; mox peculiare preces et gratiarum actiones, super elementa; dein, panis fractio et distributio; vini pariteraquâ diluti participatio; communio infantium; missio eucharistiæ ad ægrotos atque absentes; panis nonnunquam intinctio, si cubi ægris vel infantibus porrigeretur: velut eorum *ἑσπέρια* sive *agapæ* quibus inopes sublevati, quâsque tanta pietate ac modestia temperabant, primis saltem illis temporibus, ut *non tam cœnam cœnare viderentur quàm disciplinam*: velut *stationes* atque *jejunia*, quorum varia admodum ac libera erat praxis: velut *pervigilia*, quibus concubia nocte ad deum celebrandum excitabantur. Et hi quidem ritus horum temporum; quibus, si dixerò, neque cultos angelos, neque divos ad opem vocatos, neque reliquias eorum quæsitæ, aut honore affectas neque imagines adoratas, cum et ipsa pingendi ars illicita haberetur, neque *Crucis ligna feralia ceremonias nostras*, multò minùs *ἀπολάτραις* ac *θεοφάγαις* Christianos fuisse, retorquendis facillè in ipsos, si modò tales fuissent, quæ in ethnicos vibrabant telis, nec alia denique innumera sequiorum temporum adhuc usurpata, equidem nihil asseram quod per sese abundè non pateat, certissimisque documentis non confirmetur.

Regimen.
Justin. Mart.
Tertull.
Cyprian.

2 Thess. ii. 7.

Sciscitaris de regimine? Erat *ἡρωδὴς* sive *episcopus*, inde à prima antiquitate, et ad synagogæ exemplum haud dubiè, cui suus *הקהל ראש* fuerat. Erant *presbyteri*, sive seniores, honorem istum non pretio, sed testimonio, adepti, et quorum ex consilio præcipua quæque gerebantur. Accedebant *diaconi*, à quibus, et eucharistia distributa, atque ad absentes delata, et alia ministeria minoris notæ exercita: Quibus etiam *lectores*, *acolythi*, *exorcistæ*, postmodum accessère. Cæterum nondum orbis adorabat Romam; nondum Tiberinus illi pontifex ecclesiæ monarcham agebat: Vel, si quando jura dare, atque à se dissentientes inclementiùs damnare voluit, prout, à *Victore et Stephano* factum, (jam tum *ἐνεργαμένοι τὰς τῆς ἀνομίας μυστηρίαις*) neque id cæteri multum curârunt, neque defuerunt qui audaciam illam acerrimè arguerent. prout *Irenæi* ad victorem, et *Cypriani ac firmiliani* ad Stephanum epistolæ abundè testantur.

others, who gave an accurate description thereof, namely, prayers, thanksgiving, hymns sung to God and Christ, lessons out of scripture, and expositions upon them, baptism, and the eucharist. There were only added some ceremonies, not indeed at that time to be found fault with, nay, some very pious and profitable ones, which the superstition of the following ages increased, and changed for the worse: As the observance of martyrs birth days (as they called them) [*i. e.* when they suffered] yet set up at first with a good design, but afterwards abused to ill purpose: As prayers for the dead, which were then at every one's discretion, though having no good foundation, but very different from those which were afterwards used, they being made for all without distinction, even for martyrs and apostles themselves, of whom no one doubted but that they had obtained a principal state of happiness: As the sign of the cross made upon them whenever they stirred, upon their going out and coming in; upon putting on their cloathes and their shoes; when they went to the bath, or sat down to meals; when they lighted candles, or went to bed, or sat down, or when not? As the kiss of peace, which was used to be given when their prayers were ended; at the trine immersion in baptism; the solemn and iterated renouncing the devil, his pomp and angels made before the priest; the tasting of milk and honey; by which they were said *infantari*: Unction, imposition of hands, the abstaining a week before from the common bath, the wearing white garments that week, from whence they are called the White Company by St Cyprian, and that Sunday Whitsunday; as in the Eucharist, the oblation of the symbols made by the faithful; from hence prayer for all; and, by and by, peculiar prayers, and giving of thanks over the elements; afterwards breaking and distribution of the bread, and participation of the wine diluted with water; the sending the Eucharist to sick and absent persons, and sometimes dipping the bread in the wine, when it was to be carried to sick persons or infants; as their *ἁγία*, *agapæ*, or love-feasts, by which the poor were entertained, and which they managed with that piety and temperance, especially in the first time, as that they did not seem so much to eat a supper, as to perform an ordinance: As their stations and fasts, the practice of which was various and free: As their watchings, in which they rose at midnight to praise God. These were the ceremonies of those times, in which, if I should say that angels were not worshipped, nor the aid of saints implored, nor their relics fought for or honoured, nor their images adored, when even the art of painting was looked upon as unlawful, when the dismal wood of the cross was no part of our ceremonies, much less were the Christians worshippers of bread and eaters of their God, (it being easy for the heathens to have turned these objections against them, if there had been any such practice) nor many other thing which were used in latter times. In laying down all this, I say, I shall assert nothing but what is abundantly evident, and what might be proved by the best ceremonies.

Ap. 2.
Tertul.
Apol. c. 39.

Tertull. Apo-
loget.

Do you enquire of the church government? There was a *Προεστὴς* or bishop, even before that time, up to the first antiquity; undoubtedly taken from the example of the Jews, who had their *Rosh Hachael*, the prince or head of the congregation. There were presbyters, or seniors, who attained this office not by price, but by testimony, and by whose advice the principal affairs of the church were managed. To these were added deacons, by which the Eucharist was distributed and carried to absents, and other services of lesser note were executed; to which afterward readers, acolyths, exorcists, were added. But as yet the world did not adore Rome, the high-priest of Tiber did not as yet usurp the monarchy over the church: or if at any time he pretended to give laws, or to deal severely with those that dissented in opinion from him, as was done by Victor and Stephen (for even then the mystery of iniquity began to work) other bishops set little by his censures, neither were there wanting those who roundly reprimanded him for it, as the letters of Irenæus to Pope Victor, and those of Cyprian and Firmilian to Stephen, do abundantly testify.

Disciplina.
Just. Mart.
Apol. 2.

Tertul. Apol.
cap. 39.
Tertull. de
Pudic. cap. 4.

Tertull. Pœ-
nit. cap. 9.

Tertull. ibid.

Percontaris de disciplina? Sanctissima illa fuit, et peccatis fugandis aptissima; nemine, nisi post idoneam explorationem, sacris undis tincto; nemine, sacri cibi particeps, nisi qui ad Christi normam se re verâ composuisset; et severissimis, imò aliquando plus justo severioribus, in gravius delinquentes, constitutis pœnis; à *communicatione* nempe orationis, et coenæ, et omnis sancti commercii, relegari quin et si gravius delictum esset, *omni ecclesiæ tecto submoveri*: Neque modò ad breve tempus, sed ad multos annos non rarò, aliquando ad mortem usque, aliquando ne illis quidem, qui in extremis versarentur, ad ecclesiæ pacem admissis: Quæ quidem, ut in se sanctissima, tamen nimia quandòque fuisse, et ab evangelica mansuetudine aliquantulum abhorrentia, negari nequit. Jam, ut lapsis pax redderetur, quis nescit quàm laboriosæ subjecti sint pœnitentiæ? *sacco et cincri incubare, corpus sordibus obscurare animum mœroribus dejicere, pastum et potum pura nosse, jejuniis preces alere, ingemiscere, lacrymari, mugire dies noctesque, presbyteris advolvi caris Dei adgeniculari*, (unde forsàn calumnia illa de *sacerdotum genitalibus* à Christianis cultis, cujus mentio apud *minutium*) *presbyteris, inquam advolvi, caris Dei* (hoc est, martyribus) *adgeniculari, omnibus fratribus legationes deprecationis suæ injungere*: Quæ quidiem *exomologesis* (sic pœnitentiam publicam vocabant) cùm “proolvebat hominem, magis relevabat; cùm squalidum faciebat, magis mundatum reddebat; cum condemnabat, absolvebat, prout eleganter *Tertullianus*.

Mores.

Justin. Mart.
Minut. Fel.

Ac re verâ, his tyrociniis, istâ castrorum disciplinâ, Christianorum militum virtus, sanctitas, pietas, justitia, sobrietas, castitas, fortitudo, constantia, dici non potest quantum promotæ sint. Enimverò illis adhuc sæculis, vis Christiani nominis, non in dictis, sed in factis, sese exeruit; *Ὁυκ ἐν λόγοις; ἀλλ' ἐν ἔργοις τὰ τῆς ἡμετέρας Θεοσεβείας πράγματα*. Non eloquimur magna, sed vivimus. Hinc, inscriptis illis apologeticis, per ea tempora editis, non innocentia modò Christianorum defenditur, et *neminem Christianum malum, nisi qui fidem simularet*, aperte assertitur, sed et, ad exquisitam illorum sanctitatem, velut ad palmarium quoddam evangelicæ viritatis argumentum, provocatur. Dicamne, quanta ipsis fuerit, et colendi Dei cura, et inorando assiduitas, et in promovendo Dei regno zelus, et in proximis diligendis sinceritas, et in sublevandis pauperibus, captivis redemendis, confessoribus, intra carcerum septa, invisendis, sustentandis, erigendis, sollicitudo, (missâ etiam non rarò, ad oras remotissimas, eum in finem ingenti pecuniâ) et ni domandis libidinibus studium, et in fugiendis mundi illecebris diligentia, et in gravissimis persecutionibus, exquisitissimis suppliciis, evangelii caussâ perferendis, fortitudo alacritas, et constantia? Res in vulgus notissimæ, et ab ipsis etiam Christianorum hostibus, non sine stupore, memoratæ.

III.

Ætas Æneæ,
inde à tempo-
ribus Constan-
tini Mag.

Sic igitur illibata mansit, ad summam rerum quod attinet, imò sic per aliquot perstitit sæcula, professio Christianorum. Verùm, tum maximè vitari cœpit, cùm minimè debuerat; imperiò ad fidem adductò, sed et imperii pompâ ecclesiam inficiente; ethnicis ad Christum conversis, sed et Christi religione ad ethnicæ formam depravatâ; assertâ Christianis pace, sed et pacis malis irrupentibus; ecclesiâ divitiis et potentia majore, sed virtutibus minore; antistitum honoribus, redditibus, immunitatibus, munificentia principum auctis, sed et eorum superbiâ, æmulatione, rixis, dissidiis, pari passu augescentibus; denique levibus illis nevis, quos ab initio irrepsisse vidimus, ad cumulum ita perductis, ut quæ argentea hactenus fuerat rei Christianæ facies, in *æneam*

Do you ask concerning their discipline? That was most holy, and excellently well adapted to defer men from sin; no one being admitted to baptism before he had been strictly examined; no one being allowed to receive the sacrament, but who had exactly conformed his life to the rule of Christ; and very severe punishments, nay, oftentimes too rigid, being inflicted on those who had committed any great offence, they being shut out from the communication of prayer, and the right of assembly, and from all sacred commerce; nay, if the crime were very heinous, they were perfectly shut out from the church; not only for a short time, but oftentimes for many years, sometimes even to death, and sometimes not being admitted to the peace of the church, even at their deaths. Which things, as they were in themselves very pious, so it cannot be denied, that sometimes they were overdone, and did not agree with the gentleness of the gospel. Now for the fallen to be restored, every body knows how laborious a penance they must submit to. They must lie upon sackcloth of ashes; they must go in a sordid habit; they must cast down their mind with grief; they must nourish their devotion with fasting; they must groan, weep, bemoan themselves night and day; throw themselves down at the presbyter's feet; kneel before the beloved of God (from whence perhaps arose that calumny of the heathens, in Minucius Felix, and of the Christians worshipping the priest's genitals); I say, they must fall down before the presbyters, they must kneel before the beloved of God (*i. e.* the martyrs) they must beg the intercession of all the brethren for their pardon. Which Exomologesis (for so they called the public penance) when it threw down the man, it did thereby the more raise him up; when it made him squalid, it made him the more clean; whilst it condemned him, it gave him absolution; as Tertullian elegantly expresses it.

Discipline.

Just. M.
Apol. 2.Tertu. Ap.
cap. 1.
Tertul de
pudic. cap. 4:Tertul. de
pæn. cap. 9.

Tert. ib.

It was by these exercises, by this military discipline, that the virtue, the holiness, the piety, justice, sobriety, chastity, courage, constancy of the Christian soldiers were raised to such a height as cannot be expressed: For in those ages the power of Christianity displayed itself, not in words, but in deeds. The affairs of our religion are to be discovered, not in words, but in works; we do not speak great things, but live them. Upon this account in those apologetical writings which were published in those times, not only the innocence of the Christians is defended, but it is expressly asserted, "That there was no Christian an ill man, unless he were one who counterfeited the faith." Nay, they appealed to this exquisite holiness of their lives, as a principal argument of the truth of the gospel. Shall I speak of the great care they took in the worship of God, their diligence and prayer, their zeal in promoting the kingdom of God, their heartiness in loving their neighbour, the pains they took in relieving the poor, in redeeming captives, their visiting and succouring and comforting confessors in the prisons (sending oftentimes to remote countries great sums of money for that purpose) their application in conquering their appetites, their diligence in avoiding the temptations of the world, their courage, alacrity, and constancy, in undergoing the most grievous persecutions, and most exquisite punishments, for the sake of the gospel? these things were commonly known, and are mentioned, not without admiration, by the enemies of the Christians.

Their man-
ners.

Thus the Christian religion, as to the main, continued undefiled for several ages; but it began then to be vitiated, when it least ought to be so; the empires coming into the faith, infecting the church with the imperial pomp; and heathens being converted to Christ, the religion of Christ being depraved by too great a conformity to their religion; peace to the church being procured, the evils of peace likewise breaking in upon her; the church being now great in riches and power, but withal less in virtue; the honours, revenues, and immunity of the clergy, being increased by the bounty of princes, but also their pride, ambition, quarrels, divisions, with equal degrees increasing; in a word, those little blemishes which we observed from the beginning to

III.
The Brazen
Age from the
time of Con-
stantine the
Great.

postmodum, tandem et *ferream*, mutata fuerit. Ire per singula non vacat; præcipua quædam sat erit notasse.

Fidei capita multiplicata.

Et una quidem ex primariis apostolicæ doctrine laudibus, fuit illa fidei sinceritas, fuit illa credendorum paucitas, quæ in eorum scriptis observatur. At verò, illò, quo de agimus, tempore, fidei capita in immensum aucta, nova symbola quotidei cusa, novæ voces quotidie inductæ, scriptis humanis atque conventibus nova auctoritas quotidie ad scripta, subtiliorum de rebus divinis disquisitionum nullus finis, Christi religio in artem conversa; τεχνολογῶσιν, ἄσχι θεολογῶσιν οἱ ἄνθρωποι, inquebat *Basilus*; tot fides existere cœperunt, quot voluntates; “erat fides temporum, potius quàm evangeliorum, secundum annos scribebatur; dumque plures quotidie fierent, ad id cœperunt esse, ne ulla sit, quemadmodum turbatò illò αὐτό, Nicænam Synodum secutò, et Arianis tumultibus deformi, querebatur Hilarius.”

Basil. M.
apud Damas.
Hilar. Con-
stant. Aug.

Ceremonia in
immensum
aucta.

Alia genuini Christianismi laus, fuit illa cultus simplicitas, quâ, tum ab ethnicis ineptiis, tum à Judaïcorum rituum onere, Christiani sublevabantur. At illis sæculis, quæ nos jam describimus, sive ex innata humano ingenio ad res sensibiles propensione, sive ad augendum sacrorum decus, sive præposterâ quâdam ethnicorum æmulatione, sive malè sanis oratorum ac poëtarum figmentis, religio, “quam pacissimis et manifestissimis celebrationum sacramentis misiricordia Dei leberam esse voluerat, servilibus oneribus indies premi cœpit; ut tolerabiliorem Judæorum conditionem fuisse, qui legalibus quidem sarcinis, non humanis præsumptionibus subjiciebantur, Augustinus asserere et lamentari non vereatur.”

Aug. Epist.
119. ad Jan.

Sancti.

Quodd Martyres, aliòsque sanctos, in Domino piè defunctos, summo in pretio haberent Christiani, id laude quidem dignissimum erat. Quodd memorias eorum statis diebus celebrarent, id, si non præceptum à Deo, vix tamen culpari meruit, siquidem ad accendendam parem in vivis pietatem honos ille fuit comparatus. Quodd postmodum in concionibus aliquando compellati sint, id oratorum initio, adeoque minimè urgendum; unde et hæc ut plurimum addita, Ἐλτίς αἴσθησις, εἰ τίς σοι τῶν ἡμετέρων λόγῳ, εἰ μή πολυμήρῳ τῷτο εἰπεῖν. At verò, quodd figuræ illæ mox in literalem sensum detortæ sint, quodd martyrum animæ circa tumulos ipsorum vagari, ibique preces ex audire, et miracula patrare creditæ, quodd eorum reliquiæ quæsitæ, et majori indies cultu excerptæ, quodd Basilicæ, quodd oratoria, in eorum honorem exstructa, quodd festa solennia ipsis dicata, quodd eorum denique patrociniū, et apud Deum deprecatione studiosè ambitæ, illa degeneris Christianismi, et revocati velut postliminio ethnicismi indicia fuere.

Gregor. Nazianz. in Ora-
tionibus pas-
sim.

Imagines.

Sed et, ne quid ethnicum deesset, illæ divinis præscriptionibus ita expressè veritæ, illæ à primis Christianis tanto studio proscriptæ imagines, postmodum, tum ob ornatum, ad juvandam memoriam, et rudiorum institutionem, tum ut plebs.

Paulin. Nat.
9. Felic.

Assueta diu sacris servire profanis,

Conc. Eliber.
Can. 36.
Epiph. : Eist.
ad Job. Hie-
rosol. Gregor.

advena Christo lubentiùs fieret, quemadmodum testis est *Paulinus*, sensim in ecclesias illatæ, nec multò post cultu affectæ sunt. Diu obsistunt viri pii. Vetat concilium *Eleberitanum*, picturas in ecclesiis esse. Exardescit *Epiphanius*, velumque effigie signatum scindit. Frangit *Serenus* imagines, et ab ecclesiis projicit. *Carolus Magnus*

have crept in, being grown to such a bulk, that the face of Christianity, which was before silver, was now changed into brass, and at length into iron. I have not time to insist upon all particulars, it will be sufficient to remark some of the chief.

One of the principal excellencies of the apostles doctrine is the purity of faith, and the fewness of things to be believed, which are observable in their writings. But in this time which we are now speaking of, articles of faith were vastly increased, new creeds were every day coined, new words brought into use, new authority was continually given to human writings and conventions; there was no end of subtle disquisitions concerning divine matters, the Christian religion was turned into an art, and, as St Basil says, "men rather seemed to act the part of artists than divines; there were so many faiths as there were men's humours; it was the faith of the times rather than of the gospel; men wrote divinity according to the times they lived in, and when new faiths were continually coined, it brought matters to that pass that there began to be none," as Hilary complains of that age which followed the Nicene council, and was deformed by the Arian distractions.

Articles of
faith multi-
plied.

Another excellency of primitive Christianity was the simplicity of its worship, by which the Christians were eased from the heathen fooleries and the burden of the Jewish rites. But in those ages which we are now describing, whether it came to pass from an innate propension to sensible things, or from a design thereby the more to adorn the Christian worship, or from an unwarrantable emulation of the heathen, or from the wild fictions of the orators and poets, "that religion, which the mercy of God would have to be free by the celebration of a few, and those very plain sacraments, began every day to be more and more to be oppressed by servile burdens, so that Austin does not stick to assert and lament, that the condition of the Jews was more tolerable, who were subject indeed to legal burdens, but not to human presumptions."

Ceremonies
mightily in-
creased.

Aug. Epist.
119. ad
Jan.

It was a very laudable thing, that the first Christians highly esteemed the martyrs, and other saints who had departed in the Lord. That they celebrated their memories upon certain days, although this was not commanded by God, yet it could hardly be blamed, when this honour was given them, to excite the living to a like piety. That afterwards they were called upon in sermons, was only a stroke of oratory at first, and therefore not much to be stood upon; from whence proceeded many of these expressions, "If thou, O happy soul, hast any knowledge of what we do; if thou hast any discourse of our affairs; if it be not too bold to say this to thee." But that afterwards these figures were drawn into a literal sense; that the souls of martyrs wandered about their graves, and there heard the prayers which were put up to them; that they were believed to do miracles, and that their relics were hunted after, and were every day more and more worshipped; that churches and oratories were built to their honour; that solemn feasts were dedicated to them; that their patronages and intercessions to God, on their behalf, were earnestly desired: These things were signs of a degenerate Christianity, and of a sort of heathenism coming in again.

Saints:

Greg. Naz.
in several
places.

And that nothing of heathenism might be wanting, images, which were so expressly forbid by the divine law, and so much condemned by the primitive Christians, were afterwards, partly for ornament, and partly to assist the memory, and to instruct the ignorant, and partly that the common people who were

Images.

So long accustomed to heathen rites, —

Paul. Nat.
9. Felio.

might the more willingly embrace Christianity, these were first brought into churches, and afterwards were worshipped. Holy men withstood this a great while; the council of Eliberis forbids pictures to be placed in churches. Upon the thought of this Epiphanius was in an heat, and tore a veil which had a picture drawn upon it. Se-

M. Epist.
Lib. 9. Epist.
9.

cum suo illo *Frankofurtensi* concilio, *Ludovicus Pius* cum *Parisiensi*, ethnicam præxim decretis castigant. Imperator orientes non unis imaginibus adversum se præbet. *Agobardus*, *Hincmarus*, *Claudius*, *Taurinensis*, alii bene multi, in occidente obnituntur. Frustrà hæc omnia fuere; Quippe, inter imperii turbas et mutuas conciliorum secum invicem pugnantium diras, *superstitionis illius pestis, partim ignorantia, partim pessima consuetudinis usu*, (sic loquuntur *Parisienses*) tandem prævaluit.

Synod. Paris.
an. 824.

Baptismus,
Eucharistia.

Justin. Mart.
Apol. 2.

Jam, de Baptismi et Eucharistiæ solennibus, quid dicamus? Quos quidem ritus, in se ipsis planissimos, et intellectu obvios, non tam novos instituit, quàm, ex Judæorum usibus desumptos, suæ disciplinæ aptavit Christus. Neque verò primi Christiani ab horum rituum fine atque indole statim aberrarunt, utpote quos in apologiis, ad ethnicos ipsos datis, apertissimè simul et simplicissimè describunt. Verùm sorduit simplicitas illa apud sequioris ævi doctores. Majus quid suspicati sunt, et ad creandam apud ethnicos reverentiam aptius. Fuerunt jam *φριλά μυσήρια*, mira quidam actremendi ritus, de quibus, nisi apud initiatos, ne mustitare quidem licuit; *ἴσαν οἱ μνημένοι*. Hinc nova pompa quotidie solennibus illis addita, nova virtus iis adscripta, novæ figuræ, novæ *ὑπεβολαι*, in extollendis illis usurpatæ. Quod quidem, progressu temporis, in eam excrevit prodigiorum, imò absurditatum, molem, cujus, nisi certis minium constaret documentis, fides esset laboratura.

Regiminis fa-
cies mutata.

Quemadmodum verò in ritibus, sic et in ipso ecclesiæ regimine à primæva institutione non parùm aberratum est. Tota ejus facies mutata. Novorum munerum nullus finis. Politia ecclesiastica ad imperii normam exacta. Ministeria in dignitates, docendi cura in socordiam, modestia in fastum, pietas in factionem conversa. Synodi, ad ecclesiæ bonum, et componenda dissidia, natæ, ab illis finibus ita degeneres, partium studiis ita violatæ, principum arbitrio ita mancipatæ, ut nullum se vidisse, quæ non magis ad augenda mala, quam minuenda, contulerit, testetur Nazianzenus; *αἱ γὰρ φιλονεικίαι καὶ φιλαρχίαι λόγους κρείττους*, nam, addit, litigandi et imperitandi cupido, plus quam ratio, in illis valent; unde se *φεύγειν πάντα ζύλλογον ἐπισκόπων*, se omnem episcoporum conventum fugere atque aversari, apertè prodit. Quorum tamen conventuum usus, pro imperantium voluntate, et sæpe quidem minimis de caussis, ita temporibus illis crebescebat, ut ethnicis ludibrio essent, catervisque illis antistitam, jumentis publicis ultro citroque discurrentibus, per synodos, quas appellant, rei vehiculariæ nervos succisos, jocò-ne an seriò, notet Ammianus.

Gregor. Nazianz.
Epist. 55, ad Procop.

Amm. Marcell.
Lib. 21. cap.
16.

Dissidia eccle-
siastica.

Hieron. Proœ.
Quæst. Hebr.
in Gen.

Et quis nescit antistitum iras, æmulationes, dissidia, bella plusquàm civilia, et nunquam intermoritura, utramque annalium paginam implentia? Pugnas nempe de rebus levissimis, de meris vocibus ut plurimum, de ritibus adiaphoris, de mysteriis *ἀλλοδαλείσις*, de questionibus quas neutri intelligerent, imò et à se non intelligi ipsi sæpe confiterentur: Convitia ab antistitibus, nullo pudore, nullo iræ modo, in se invicem conjecta; qualio, vel ab uno Hieronymo, mox in Ruffinum, mox in Jovianum, mox in Vigilantium, mox in Johannem Hierosolymitanum, fœda prorà, et ore Christiano indignissima, proferuntur: Anathemata in mortuos, imò pluribus nonnunquam post obitum sæculis, vibrata; velut in originem illum adamantium, cujus pridem defuncti fama tot convitiis discerpta, sed cujus tamen, cum invidia nominis, optasset Hieronymus habere etiam scientiam scripturarum; velut in Theodoreti, Theodori, atque Ibæ capitula, totò etiam post obitum sæculò ecclesiam in partes vocantia; de summis sedibus certamina, non ambitu modò fœdissima, sed et tumultibus ac stragibus non semel funestata, et sapientum inter ethnicos stomachum moventia; velut in Damasi et Ursicini, Roma-

Amm Marcell.
lib. 27. cap. 3.

reus brake images, and threw them out of the church: Charles the Great in his synod held at Franckfort, and Ludovicus Pius in his synod at Paris, made decrees to condemn this heathen practice; several of the emperors of the east declare themselves against the use of these. Agobardus, Hincmarus, Cladius Taurinensis, and many others, endeavour the same thing in the west. But all this was in vain; for what by reason of the troubles of the empire, and what upon account of the anathemas of contrary councils, the plague of that superstition, partly from ignorance, and partly from a bad custom, (for so the council of Paris speaks) prevailed.

What shall we say of the ceremonies used in baptism and the eucharist? Which rites as they are in themselves very plain, and easy to be understood, so our Saviour did not so much institute them anew, as taking them from the usage of the Jews, adapted them to his religion. Neither did the primitive Christians, for a good while, make any deviation from the end and nature of these rites, which, in their apologies to the heathens, they plainly and simply describe. But this simplicity seemed too mean to the doctors of the following ages. They suspected some greater thing to be in them, and something more fit to create reverence among the heathen. Hence came the dread mysteries, the wonderful and tremendous rites, of which they must not so much as whisper but among the initiated; those who are partakers of the mysteries know what they are. From hence some new pomp is continually added to these sacraments, some new virtue is ascribed, some new figures and new hyperboles used in extolling them; which, in process of time, grew to that heap of monsters and absurdities, which we could not believe, unless we had the most evident assurance thereof.

Now, as in ceremonies, so in the government of the church, there was a swerving from the primitive institution. The whole force of it was changed; there was no end of instituting ecclesiastical officers; the church polity was modelled according to the form of the empire; the ministerial offices were changed into dignities; the care of teaching into slothfulness; modesty into pride; piety into faction; synods, which were designed to compose the differences in the church, did so degenerate from that end, being so perverted by faction, and so slavishly devoted to the wills of princes, that Nazianzen witnesses, that he never saw any one of them, which did not more increase the distempers of the church, than lessen them; for the love of contention, and the love of power, were more prevalent in them than reason: Wherefore he openly declares, That he shunned and avoided those meetings of the bishops. Which conventions, they meeting according to the pleasure of the prince, and upon so little occasions, were so common in those times, that they made sport to the heathen: For Ammianus, either jestingly or seriously, takes notice, That troops of bishops run so much backwards and forwards to their synods, as they call them, in the publick carriages, that they spoiled the limbs of the horses.

Besides, who is ignorant, that the anger, contentions, and differences of the bishops; differences more than civil, and which were sometimes never made up, do fill up the books of history; they had quarrels about the most trivial matters, for the most part about mere words, about indifferent rites, about unintelligible mysteries, about questions which neither of them understood, nay, which they themselves confessed that they did not understand; reproaches cast by some of the clergy against others, without any modesty or temper; as to instance only in Jerom, one time flying out against Ruffinus, at another, against Jovinian; soon against Vigilantius, and then against John of Jerusalem, speaking against them most scandalous words, and not fit for a Christian's mouth; throwing out anathemas against the dead, and that many years after their decease, as against Origen, whose character after his death was tore in pieces with so many invectives, though at the same time St Jerom so envied him, that he wished he had his knowledge of the scriptures; as the calumnies which were thrown upon the chapters of Theodoret, Theodorus, and Ibis, which divided the church into parties, a

Conc. Elib.
Can. 36.
Ep. Epist.
ad Joh. Hieros.
Greg. M.
Lib. ix. Ep.
9.

Syn. Par.
an. 521.

Baptism,
Eucharist.

The face of
church go-
vernment
changed.

Greg. Naz.
Ep. lv. ad
Procop.

Ammian.
Marc. Lib. 21.
cap. 16.

Hier. Proem.
Qu. Heb. in
Gen.

Id. Lib. 22.
cap. 5.

num Episcopatum ambientium, competitione, quâ peremptorum uno die, in Basilica Sicinini, centum triginta septem reperta cadavera, efferatamque diu plebem ægre delinitam, non sine indignatione et gravissima censuræ nota, homo ethnicus refert Ammianus; qui et alibi, nullas infestas hominibus bestias, ut sunt sibi ferales plerique Christianorum, disertè asserit. Quæ quidem ecclesiæ probra ac dedecora, exemplò Constantino M. pallio obvelare, eorumque monumenta in ignem conjicere mallet, quàm eorum memoriam recolere, nisi ex his documenta ducere, et alienarum culparum moneri exemplis, è re nostra esset.

Episcopi Ro-
mani fastos.

Quid, quodd unus inter episcopos, pari cum reliquis loco, si ad originem ipsam ascenderis, nec majori potestate præditus, mox suadente, urbis majestate, favente Christianorum illuc undique ob varia negotia proficiscentium concursu, adjuvante imperatorum, aliorumque principum, in illam sedem benevolentia, et collatis in eam honoribus, promovente Augustæ Sedis Constantinopolim translatione, et barbarorum irruptionibus, et fractis imperii viribus, aliisque circumstantiis, impellente inter hunc episcopum et Byzantinum æmulatione, accedentibus plurium ex iis, qui sedem istam occuparunt, artibus, in allud tandem supercilium (ὄψους δυνάμις dicitur Basilio; fumosum typhum dicunt Africani) in allud, inquam, superbiæ atque arrogantiae culmen ascendit, ut omnia ad se trahere, more dictatorio de omnibus pronuntiare, Episcopi Œcumenici titulum usurpare, et cum titulo imperium re verâ in universam ecclesiam assumere, leges figere ac refigere, sese supra reges ipsos ac imperatores extollere, illos pro libitu exauctorare, subditos fidelitatis sacramento exsolvere, alios in eorum locum sufficere, denique Monarcham Ecclesiæ, Christi Vicarium, Deum in terris, sese gerere non dubitavit. Ut pateret, verè illum esse, quî, juxta Pauli vaticinium, in templo Dei sessurus, se pro Deo venditaturus, seque ipsum ὑπὲρ πάντων ἑστασέναι, aufu sacrilego, elaturus fuerat.

Basil. M. Ep.
10. Conc. Af-
ric. Ep. ad
Cælest.

2 Thess. ii. 4.

Disciplina
collapsa.

Inter hæc verò, et aliud malum in ecclesiam irrepsit; remissa nempe paulatim, tandemque extincta prorsus disciplina. Enimverò, auctâ dignitatibus ac divitiis ecclesiâ, aucta simul licentia est. Principes, aliique nobiles, dum in vitia præcipites ruerent, jugum Christi detrectare, omnem ecclesiæ libertatem, jura omnia eversum ire. Episcopi, sæcularibus impliciti negotiis, alia omnia quàm sui gregis emendationem curare; diras omnes, non in vitia, sed in hæreses, vibrare; partium studiis totos se tradere, reliqua omnia post habere; ecclesias, non antiquo ritu, presbyteris nimirum in consilium vocatis, sed pro libitu administrare, adeoque multa negligere, ad quæ attendi oportuit. Tandem publica pœnitentia penitus desuescere, nec nisi inanis quædam ejus umbra relinqui cœpit, quæ nec frænum vitiis injiceret, nec in aliis propemodum quàm in iugis occuparetur.

Mores quotidie
impejus ruen-
tes.

Quibus omnibus, quàm corrupti fuerint, quantum à primæva puritate devii, Christianorum mores, me tacente, abunde perspicitis. Ita profectò fuit, auditores, Christiani nomine quidem plurimi, re paucissimi fuerunt. Pietatis forma ubique, vis nupiam. Religio, non ut antea, in mentis puritate, morumque innocentia, tota in ritibus collocari cœpit. Principes bellis sævire, in omnem effundi libidinem, nullo ad ethnicis discrimine. Antistites superbiâ tumescere, factionibus agitari, in res suas toti intendere. Plebs, cœcos illos ductores secuta, iisdem vitiis indulgere, idem in barathrum se conjicere. Adeò ut, præter paucissimos, qui vitia fugiebant, nihil aliud cœtus omnes Christianorum, quam vitiorum sentinam fuisse, conqueratur Salvianus; ecclesiamque, navi putrescenti, ac præ vetustate naufragium minanti, Gegorius ille magnus assimilare non vereatur: Heu! quid dicturus uterque, si ad illam temporum æcem ac putredinem, quæ aliquot post sæculis inspecta est, vitam protendissent?

Salven. de
Guber. Dei,
lib. 3.

whole age after they were dead. Their contentions about the chief sees, not only in scandalously canvassing for them, but occasioning such tumults and murders by them, so as to make the wise heathens to upbraid them for it; as in the competition of Damasus and Ursicinus, for the bishoprick of Rome, during which, in the church of Sicinius, there were found an hundred-and-thirty-seven dead carcasses killed in one day, and the common people were in such an uproar, that it was very hard to appease them, as Ammianus Marcellinus, a heathen writer, does relate, not without a very severe animadversion; and who in another place does expressly assert, that wild beasts do not infest mankind more than Christians are plagues to one another.¹

Am. Marcell.
Lib. 38. c. 3.
Vib. Seb. 22.
c. 5.

What shall we say, that one among the bishops, but of equal authority with the rest, if you look back to his original; but afterwards, by reason of the greatness of his city, and the vast concourse of people thither upon business; upon account of the bounty of the emperors, and other princes to that see, who likewise conferred considerable honours upon it; the translation of the imperial residence to Constantinople, the irruptions of the barbarous nations, and the decay of the power of the empire, the emulation between that and the Constantinopolitan see, with other circumstances assisting; to which we may add the arts of those that sat in that see, which rose to such a degree of haughtiness and arrogance, (St Basil calls it the Western Brow; the Africans call it the Smoaky Pride) that he began to bring all things to his cognizance, to pronounce like a dictator upon every matter, to usurp the title of universal bishop, and, besides the title, in reality to take upon him the government of the whole church, to make laws and to repeal them, to exalt himself above kings and emperors, to depose them at their pleasure, to absolve their subjects from their oath of allegiance, and to substitute other in their places, to make himself the monarch of the church, the vicar of Christ, a god upon earth: Which made it clear, that he was that person, who, according to St Paul's prophecy, "opposeth and exalteth himself above all that is called God, or that is worshipped."

The pride of
the Bishop of
Rome.

St Basil
Epist. 188.
c. 10.

Thess. ii. 4.

Among these evils of the church there crept in another, which was, That the discipline was remiss, and in a manner extinct. For the church being increased in dignities and riches, licentiousness likewise increased with them. Princes, and other great men, run unto all wickedness and extravagancies; throwing off the yoke of Christ, they broke through all the ecclesiastical and human laws. The bishops being immersed in secular affairs, took care of every thing else but their flocks; they threw out their anathemas, not against vices, but against heresies; they laid out all their time in promoting their parties, neglecting every thing else; they did not call in their presbyters to advise with, but did every thing upon their own head, and therefore must need neglect many things which they ought to have taken care of. At last publick penance began to be disused, or at least nothing left but an empty shadow of it, which neither gave any check to wickedness, nor was used in any but frivolous matters.

The discipline
sunk.

By all which, how corrupt the manners of Christians were rendered, and how much deviated from the primitive purity, you yourselves are apprized of, without my speaking. This, sirs, was the state of the church then: There were many Christians in name, but few in reality. The form of piety was every where, but the power no where: Religion did not, as heretofore, consist in purity of mind, and innocency of manners, but it began all to be placed in ceremonies. Princes raged in war against one another, giving themselves a loose to all their lusts, in no ways different from the very heathens. The bishops were proud and factious, and only intent upon their own interest. The common people following these blind guides, indulged themselves in

Manners daily
growing worse
and worse.

Which disgraces of the church I could be willing, with Constantine the Great, to throw a cloak over, and rather turn the records of them, than to remember them, unless it were to our advantage, to take warning by these miscarriages.—*Orig. Note.*

IV.

Ætas Ferra,
Sæculo 10. et
sequentibus.
Baron. ad
An. 900.
Sect. 1.
Id. An. 908.
et 912.

Id. An. 900.
Sect. 1. et 3.

Guliel. Tyr.
Hist. lib. 1.
cap. 8.

Baron. ad
An. 1000.
Sect. 21.
Genebr. Chron.
ad An. 901.

Hugonem A-
quitani cæo-
mitis filium.
Theophylac-
tum Romani
Imperat.

Atque ita sensim ad infausta illi delabimur tempora, quibus tetriora ac fœdiora ne fingi quidem posse, vel acerrimi caussæ pontificiæ defensores non inficiantur. Certé Baronius Sæculi X. primordia narraturus, dicit illud sui asperitate ac boni sterilitate ferreum, "mali exundantis deformitate plumbeum, inopia scriptorum obscurum, appellari consuevisse. Et mox deum oblitum ecclesiæ suæ, cujus facies lurida ac fœdis-
sima; Christum alto sopore in ecclesiæ navi dormiisse, neque quenquam, qui ipsum excitaret, repertum esse; abominationem desolationis tunc in ecclesia visam; vix cre-
di posse, quàm indigna, quàm turpia ac deformia, quàm execranda ac abominanda, in apostolica sede visa sint, expressis verbis docet purpuratus." Referam-ne crassissimam illorum temporum ignorantiam, extincta studia, jacentes literas, incubantem ecclesiæ barbariem, humanarum pariter ac divinarum rerum imperitiam, stuporem quendam animis inditum, eò usque ut nemo ferè qui literas didicisset, Romæ exstitisse perhibea-
tur? Dicam-ne effrænem prorsus, quæ tum regnabat, morum licentiam? "fidem defe-
cisse; timorem domini de medio sublatum; periisse de rebus justitiam; æquitatem sub-
actam; violentiam atque fraudem latè dominantes; continentiam, parcimoniam, sobrie-
tati, nullum locum; fornicationum genus quodlibet sine rubore exercitum; omne in præcipiti vitium stetisse; qualem populum, tales sacerdotes; clericorum domos, in posti-
bula meretricum, et conciliabula histrionum evasisse;" prout fide dignissimi horum tem-
porum scriptores testantur. Narremne proculecata jura, eversam disciplinam, Romanam ecclesiam ab improbis, sceleratis, impudicis, prædonibus, invasoribus, sanguinariis, gras-
satoribus, teste Baronio, occupatam; quorum 50. circiter, per annos ferè 150. apotacti-
cos et apostaticos, non apostolicos dicendos esse, fatetur Genebardus; pontificatum ex
fœdissimarum meretricum arbitrio pendentem; puerum necdum quinquennem in archi-
episcopum rhemensem electum; ac, ne quid oriens occidenti debeat Constantinopolita-
num præsulem, vix annos sexdecim natum, ipso die cœnæ dominicæ, magnæ quintæ
antepascalis, in pontificalibus sacris operatum, solennia abrumpentem sacra, ut ad æquæ
partem accederet; mox, conspecto pullò, ad absolvenda sacra redeuntem? O digna
tempora, quæ, et firmandæ idolomanie, artolatriæ inducendæ, et propagandis errori-
bus, et pontificiæ tyrannidi ad cumulum perducendæ, et hirsutæ cuidam ac barbaræ
theologiæ in medium proferendæ, et putidissimis legendis, fabulis sine fine ac modo,
cudendis, et instaurando bello sacro (sacro, dicam, imò sacerrimo, sed prout dicitur
auri sacra fames) iniquitatum, scelerum, nequitiarum, fonte uberrimo, et erigendo de-
nique ad vim conscientis inferendam, iniquissimo juxtà ac sævissimo tribunali, obste-
tricarentur: Verùm tædet sentinam illam ulterius movere; tempusque est, ut ad pur-
gatam tot sordibus ecclesiam oculorum aciem vertamus.

V.

Christianismi
instauratio
per beatam
reformatio-
nem.

Magna, prefecto, Auditores, imò maxima jam dei fuerat in ecclesiam indulgentia, quòd, ingruente illò errorum ac superstitionum deluviò, quandam semper arcam ser-
vasset, quòd, obtenebratà Ægyptò, aliquem semper Goscen illustrasset, quòd siccà
areà, aliquod semper vellus irrigasset; sive, ut planius mentem exponamus, quòd, in
mediis papatus tenebris, inter Waldenses, Albigenses, Wiclefitas, Hussitas, Bohemos,
puræ suæ veritatis scintillas emicare semper voluisset. Verùm ulterius progressa est
paterna dei in ecclesiam cura. Splendidiorem quippe accendi voluit faciem, quâ, non
obscuri quidam anguli, non arctæ quædam convalles, sed Europa, quanta est, imò et
totus orbis illustraretur. O felicia tempora! O beatam rerum conversionem! Cujus,

the same vices, and fell into the same pit. So that, excepting some few good persons (as Salvian complains) the congregation of Christians was nothing but a sink of vices, and as Gregory the Great compares it, the church was like a rotten ship, which was continually in danger of sinking. Oh! What would both of them have said, if they had lived to those dregs and corruption of times, which were seen some ages after!

And now we are by degrees fallen down into those unhappy ages, than which, as the defenders of popery themselves allow, more filthy and scandalous ones cannot be imagined. Baronius, in his introduction to his History of the Tenth Age, says, "that by its roughness and barrenness of all good, it may be called the Iron Age; that for its deformity, upon the account of the prevalence of all vice, it may be stiled the Lead-en Age; and for its want of good writers, may be called the Dark Age. And presently after, the cardinal says expressly, that God seemed in this age to have forgotten his church, whose face was now so lowering and deformed, that Christ seemed to be asleep in the ship of his church, nor was there any one found to awake him; that the abomination of desolation now seemed to be in the church, that it can hardly be believed what ill, what scandalous, what cursed and abominable things were seen in the Roman see. Shall I speak of the dark ignorance of those times, how all learning was extinguished, and study laid aside, how barbarity overspread the church, how there was an ignorance of every thing divine and human, and such a stupidity upon men's minds, that, in all the city of Rome, there was hardly any one who had learned to read? Shall I speak of the ungovernable "licence of manners which prevailed then? Faith failed, the fear of God was taken away, justice was lost, and equity oppressed, violence and fraud prevailed; there was no place for moderation, parsimony, or sobriety; all kinds of uncleanness were practised without shame, every vice was at its full pitch; as was the people, so was the priest; the houses of the clergy were nests of whores and players, as the most credible authors of those times testify." Shall I tell how all the laws of the church were trampled under foot, the discipline overturned, and the see of Rome (as Baronius witnesses) possessed by wicked and impious persons, by lewd rakes, robbers, usurpers, murderers, cut-throats, of which 50 for an 150 years together, Genebrard confesses, that they should rather be called apotacticks and apostates than apostolicks? That the popedom was disposed of at the pleasure of whores; that a boy of five years old was chosen Archbishop of Rhemes; and, lest the East should not be as bad as the West, the patriarch of Constantinople was a boy of sixteen years of age, who, celebrating the Eucharist upon Maunday Thursday in the Great Week, in his pontifical habit, left the solemnity, and run to see his mare which had foaled, and having viewed the colt, he came back to make an end of the office. Fit times indeed! for the settling the worship of images and bread, for propagating all other errors, for setting up the pope's tyranny, for bringing in a barbarous divinity and ridiculous legends, for coining fables without end or reason, for setting on foot holy wars, those fountains of all iniquities, villanies and impostures; for setting up an unjust tribunal over men's consciences. But I am weary of raking in this sink, and it is time that we should turn our eyes upon the church, as it was purged from this filth.

Great indeed, sirs, was the mercy of God to his church, that, when such a deluge of errors and superstition had overflowed the church, he always kept his ark safe; that when darkness overspread the face of Ægypt, yet he still afforded light in Goshen; that, though the floor was dry, yet he still watered his fleece; and to speak yet plainer, that, in the midst of all the darkness of popery, he was willing that some small sparks of truth should shine among the Vaudois, the Albigenses, Wiclevites, Hussites, and Bohemians. But the fatherly care of God to his church went further than this. He was pleased that a more shining light than this should be kindled, by which not only a few dark corners, and narrow vallies, but all Europe, wide as it is, and even the

IV.
The Iron Age,
in the 10th
following
ages.
Baron. ad A.
900. Sect. 1.

quot sunt circumstantiæ, tot perfectò miracula, tot divinæ misericordiæ indicia deprehenduntur !

Enimverò, quis non observet paratam veluti huic operi viam, per literaram instaurationem, Sæculis XV. et XVI. in his occiduis partibus factam ; Arte Typographicâ opportunè ad id repertâ, ut Bibliothecarum thesauri publici juris fierent ; et doctâ illâ Græcorum manu, post captam à Turcis Constantinopolum, in Italiam delatâ, Cræcasque literas restituente, dum alii Latinas Hebræicasque instaurarent ; quin imò viris præstantissimis non sine numine excitatis, qui, velut aliud agentes, ad sacra instauranda faciem præferent ; Qaulis præ cæteris fuit Erasmus, qui, quanquam ad reformatores ipsemet non accesserit, imò et iis nonnunquam se adversum præbuerit, attamen, tum in sacro codice edendo atque illustrando, tum in Ecclesiæ Veteris Scripturis in lucem mittendis, tum in receptæ religionis ineptiis arguendis, tum in veræ pietatis officiis exponendis et commendandis, ita utilem operam posuit, ut dici nequeat, ad caussam protestantiam promovendam, quantum contulerit.

Hæc præludia. Jam, si ad ipsum reformationis opus accedamus, quis non miretur, velut signò datò, per totam passim Europam, apud Germanos apud Helvetios, (Gentes receptis usibus mordicùs adhærescentes) apud Gallos, apud Italos, apud Britannos, apud Batavos, imò et ad ultimas usque septentrionis oras, ingenti numero viros exortos, qui veritatis illustrandæ et ecclesiæ ab errore sordibus expurgandæ, operam darent ? Quis non suspiciat, in viris illis, miram ingenii felicitatem ; eruditionem exquisitam, longè supra captum temporum illorum ; perpolitam dicendi sribendique rationem, à scholæ barbarie planè alienam ; facundiæ vim incomparabilem, quæ non moveret, sed traheret ; laboris patientiam penè incredibilem ; mentem excelsam ac planè divinam ; veri studium indefessum ; zelum domus Dei ferventissimum ; fortitudinem, constantiam, interritum animum, qui nec præsentissimis periculis, nec minis instantis tyranni nec ignibus ac suppliciis, à propositio dimoveritur, res toto orbe notissimas, neque satis unquam prædicandas ? Quis non miretur, tot circa capito, tum in doctrina, tum in cultu, tum in disciplina atque regimine, eos ad verum pervenisse ; cumque tota Christi religio, inde à pluribus sæculis, caligne non dicam obducta, sed penè obruta jacerit, eam ex tumulo velut excitasse, et nativo suo splendori, in plerisque saltem, reddidisse ? Quis non miretur incredibilem, quâ magnum illud opus promotum est, velocitatem ; dementata Romæ consilia ; artes adversantium principum irritas ; imò verò principes illos, qui maximè adversabantur, hujus operis ministros factos ; ecclesias nostras, veteris more, suis ex cineribus non semel renatus ; sanguinem protestantium, semen ecclesiæ ; exquisitiorem crudelitatem sectæ illecebram ; ædificatam, cùm cæderetur : Ut instaurati Christianismi, eadem quæ primævi esset fortuna.

Equidem, auditores, dum in illa tempora cogitatione me transfero, dum heroas illos, quorum ministerio lux ecclesiis nostris reddita est, ob oculos mihi pono, dum eorum virtutes, dum eorum labores considero, dum, quid viderint, quid tentaverint, quid perfecerrint, quid perpassi sint, apud me ipsum expendo, sanè his omnibus ita afficior, ita moveor, ita extra me rapior, ut majora ab hominibus vix perfici posse videantur. Quod si verò illos interim non omnia vidisse, in quibusdam cespitasse, humani quid passos esse, quibusdam caruisse subsidiis, quæ, novissimi temporis industriâ, dicam an felicitate, reperta sunt, ob res leviusculos nimis quandoque exarsisse, cultus forte atque disciplinæ ultimas nondum curas adjecisse, imo et per temporum infelicitatem, quæcunque enim voluebant,

whole world, should be enlightened. Happy times ! And blessed turn of affairs ! All the circumstances of which are so many miracles, and so many instances of the divine mercy.

For who does not make the observation, that the way was paved to this work, by the restoration of learning in these western parts, during the XVth and XVIth ages ? Printing being very opportunely found out, whereby the treasures of libraries became of public use, a great number of learned Greeks, after the taking of Constantinople by the Turks, coming into Italy, and restoring the Greek learning there, whilst others were recovering the Hebrew and Latin letters ; nay, moreover, some very excellent men, being raised up by the Divine Providence, who, whilst they were carrying on another design, opened the way to a reformation of religion : As in particular, Erasmus, who although he did not join himself with the reformers, nay in some things opposed himself to them, yet partly by putting out the books of the Holy Scripture, partly in publishing editions of the writers of the ancient church, partly in exposing the follies of the then received religion, and in explaining and pressing moral duties, he laid out his labours so profitably, that it is unspeakable how much he assisted the cause of the protestants.

These were preludes of the Reformation. But if we approach nigher to the work itself, who is not struck with wonder, that a great number of men should arise, as it were upon a signal given, throughout all the nations of Europe, among the Germans and Switzers (men that are wont tenaciously to adhere to their own customs) among the French, Italians, Britons, Dutch, yea, and the most northern nations, and should lay out their labours, in clearing up the truth, and purging the church from all the soil of errors which it had contracted ? Who is not astonished at the wonderful happiness of natural parts, which these persons were endowed with ; at their exquisite learning, far above the capacity of those times ; their polite way of speaking and writing, so different from the scholastick barbarity which then obtained ; the incomparable force of their eloquence, which not only moved but attracted ; their incredible patience in labour ; their minds so noble and divine ; their indefatigableness in their studies ; their most fervent zeal for the house of God ; their fortitude, constancy, and intrepid courage, as not being to be beat off from their design, either by the present dangers, or the threats of tyrants ; things sufficiently known over all the world, and never enough to be extolled ? Who does not admire, that they should come at the truth in so many heads of doctrine, worship, discipline and government ; and when all religion for so many ages was not only overcast but buried in darkness, that they should revive it out of its grave, and restore it, for the generality at least, to its ancient splendour ? Who does not wonder at the incredible swiftness with which this work was carried on ; how the councils of Rome were infatuated ; how the arts of princes who opposed it were frustrated, and they themselves made instruments of this work ; how our churches, like the primitive one, were born again out of their ashes ; how the blood of the protestants were the seed of their church ; how the more exquisite cruelty there was used against it brought proselytes thereunto ; how it was raised up whilst it was cut down ; so that that reformed Christianity did exactly share the same fortune with the primitive ?

And truly, sirs, whilst I carry my thoughts to those times, whilst I cast my eyes upon those heroick personages, by whose ministry light was restored to our churches, whilst I consider their virtues and their labours, what they discovered, what they attempted, what they brought to perfection, I am so affected, moved, and transported, that I cannot think that greater things were possible to be done by men. For, although we should acknowledge that they did not see all things ; that they were in some matters mistaken, and were subject to human frailty ; that they wanted some helps, which the industry, or rather the happiness, of these latter times have afforded ; that they were sometimes too much heated upon small matters ; that perhaps they did

perficere non valuisse, denique, inter immensos suos et summa laude dignissimos labores, aliquid nihilominus posterorum diligentiae reliquisse, confiteamur, id profectò eorum gloriæ et laudibus non magis detrahit, quàm si homines, non dii, fuisse perhibeantur.

VI.
De statu Doctrinæ Evangelicæ post reformationem.

Ab illo verò tempore, si quis postulet, quænam fuerit instaurati Christianismi, in ecclesiis nostris, fortuna, responsum ferat, non parùm lucis, quibusdam saltem in regionibus, et per quosdam verè doctos viros, doctrinæ sacrae commodatum esse; tum ex linguarum originalium notitia uberiore; tum ex veræ critices regulis accuratius perspectis, meliusque in praxim redactis; tum ex rectiori, quàm quæ antea fuerat, philosophandi ratione; tum denique ex antiquitatis, cùm profanæ, tum sacrae, studio, magnâ industriâ passim exculso: Quæ quidem subsidia, quàm doctos pepererint in codicem sacrum commentarios, quàm eximios tum de dogmatibus, tum de officiis, tractatus, quàm solidas de capitibus inter Christianos controversis disputationes, prædicari satis non potest.

Interim, quòd lumen illud latiùs diffusum non sit, et tot adhuc nebulis tegatur, causæ plures possunt assignari. Non jam rogos, non jam carnifices, non jam exilia, carceresque, accuso. Non hi præcipui, mihi credite, rei evangelicæ hostes fuerunt. Contrà, plures efficimur, dum metimur; aurumque fidei ex ignibus purius exit. Sed paci potius et pacis vitiis, sed mundi contagio, sed remisso nostrorum zelo, sed scholæ barbariei multis in locis adhuc regnanti, sed inanibus mystarum rixis, precariis hypothesebus, expositionibus scripturæ vanis, et nullo tibi cinis nixis, sed pertinaciæ, superbiæ, dominandi cupidini, sed in primis infaustis illis, et sanguineis lacrymis deflendis, ecclesiarum nostrarum scissuris, quæ, tum in Germania, tum in Britannia, tum in Belgio, visæ sunt, hodieque non sine maximo bonorum luctu, ibidem cernuntur, his inquam, his propriè debetur, quòd usque adhuc stet antichristus, quodque lux evangelica, inde à tempore reformationis, non majora incrementa cepit.

VI.
Conclusio.
Quid facto opus sit, ampliorẽ Doctrinæ Christianæ illustrationem.

Nos quod attinet, Auditores, ut de nobis tandem dicamus, nostrum est hac luce frui, imò et illam, si fieri possit, ulterius indes proferre. Nostrum est, magnorum illorum, sive primævi, sive renascentis Christianismi Antistitum, vestigiis insistere. Nostrum est, illorum exemplo, præjudicatis opinionibus depositis, excussâ superbiâ, affectibus omnibus valere jussis, ad veritatis investigationem generoso impetu ferri, investigatam admittere, admissam profiteri, professi retinere, et factis implere. Nostrum est, humanâ omni auctoritate post habitâ. Scriptis omnibus humanis, quantumcunque conspicuis, ad sanctuarii lucem appensis, ab ore dei unicè pendere, in dei unius verba jurare, neque quidquam in sacris admittere quod illo ex fonte non derivetur. Nostrum est, scholasticis argutiis, vanis quæstionibus, pugnis de vocibus, prout à Reformatore nostris magna ex parte jam factum fuerat, theologiam nostram purgare. Nostrum est, infausta illa, Lutheranorum, Calvinianorum, Episcopalium, Presbyterianorum, aliâque partium nomina, utinam nunquam nata, extinguere, unòque omnes ac eodem Christianorum nomine censi; Illud Hilarii menti infigentes; dum in verbis pugna est, dum de novitatibus quæstio est, dum de ambiguis occasio est, dum de auctoribus querela est, dum de studiis certamen est, dum in consensu difficultas est, dum alter alteri anathema esse cœpit, prope jam nemo Christi est. Nostrum est, pacis consilia, διὰ δόξης καὶ ἀτιμίας, διὰ δυσφημίας καὶ ἐνφημίας, per gloriam et ignominiam, per convitia et laudes, proponere, urgere, iterare: dum infamamur, precari; dum convitiis afficimur, benedicere; neque aliis magis armis, quàm patientiâ multâ, quàm puritate, quàm lenitate, quàm bonitate, quàm caritate non simulatâ, renitentes ad nos adducere Nazianzeni illud usurpantes, Συγχωρήσωμέν τι μικρόν, ἵνα μείζον ἀντιλάβωμεν τὴν ὁμόνοιαν, Exiguum

Hilar. lib. ad Constant. Aug

2 Cor. vi. 8.

2 Cor. vi. 4.
Gregor. Nazianz. Orat. 14.

not add their last cares to worship and discipline, and through the infelicity of the times they lived in, that they were not able to bring about what they had in their thoughts, and, that after their immense and most worthy labours, they left something for the diligence of posterity to do after them, we should not more detract from their glory and honour, than if we should say they were men and not gods.

But if any one should ask what was the state of reformed Christianity in our churches after that time? he may be answered, That no little light has been given to the sacred doctrine by several men in different countries, partly by reason of a fuller knowledge of the oriental tongues, partly because the rules of true critick are more accurately understood, and reduced to practice; partly upon account of a more exact way of philosophizing than was known before; and, lastly, by reason that the study of prophane and sacred antiquity has been cultivated with more pains. By which assistances what excellent commentaries have been written upon the Bible! What admirable treatises upon the doctrines and duties of religion! What solid dissertations upon controverted points! Nothing can be said too much.

But why this light was not further diffused, and why it is yet under some clouds, there are several causes which may be assigned. I don't lay the blame upon fire and faggot, upon executioners, banishments, and prisons. Believe me these were not the chief enemies of the protestant religion; nay, on the contrary, the more we were mowed down, we grew up the faster, and came, like gold, the more pure out of the fire. This is mostly owing to the vices which our state of tranquillity has produced to the contagion contracted from the world, to our zeal growing cold, to the barbarity of the schools, which yet reigns in many places; to the idle quarrels of the ministers of our religion; to precarious hypotheses advanced by some, and to vain expositions of scripture, which will not bear the test given by others; to peevishness, pride, with a desire of prescribing to all others, but chiefly to the rents in our churches, which are to be bewailed with tears of blood; such as the divisions which formerly arose in Germany, Britain, Holland, and which continue to this day; to these, I say, it is principally owing, that Antichrist yet stands, that the light of the gospel has not received a greater increase since the time of the Reformation.

Now to speak something, sirs, which relates to ourselves, it is our part to enjoy the benefit of this light as much as we can, and to endeavour a further propagation of it among others. It is our part to tread in the footsteps of those great persons, who lived in the time, both of the primitive and the reviving Christianity. It is our part, after their example, laying aside all prejudicial opinions, pride, and passion, to pursue truth with a generous eagerness, and when we have found it, to give it entrance into our minds, to make profession of it when it is there, and so to retain it, and to testify the truth thereof by our actions. It is our part, examining all human authorities, how specious soever, by the light of the sanctuary, to be determined only by the mouth of God, to rely only upon his authority, and to admit nothing as a point of our religion which is not derived from that fountain. It is our part to purge our divinity from all scholastick quirks, vain questions, and strife about words, as is in good part done by our reformers already. It is our part, to extinguish those unhappy names of Lutherans, Calvinists, Episcoparians, Presbyterians, and other party-names, which I would to God that they had never been coined, and that we were all called by one general name of Christians; keeping in our minds that passage of Hilary, "Whilst the fight is concerning words, and the question about novelties, whilst men take occasion of contending about uncertain matters, whilst the quarrel about the opinions of learned men, and the combat about literature, whilst they raise difficulties about giving their consent, and one holds the other anathema; there are very few left of Christ's side." It is our part to propose, to urge, and to reiterate counsels to peace, "by honour and

V.
Of the state
of Christi-
anity, after
the Reforma-
tion.

VI.
What is yet
to be done,
&c.

2 Cor. vi. 8.

quiddam concedamus, ut, quod majus est, concordiam lucrifaciamus. Nostrum est, positis inimiciis, datis reipublicæ Christianæ simultatibus nostris, pro communi causa decertare, communis Domini regnum promovere, communem hostem profligare, ad communem palmam tendere. Nostrum est, cultum atque disciplinam, sicubi forte minus perfecta sunt, ad apostolicæ institutionis, et primitivæ ecclesiæ modulum, quantum fieri potest, adducere. Nostrum est, mutuam inter ecclesias, quoties sese dederit occasio, communicationem instaurare instauratam colere, atque officiis omnibus fovere; quod solenne in ecclesia veteri, nec non et tempore Reformationis; et ex quo quidem fructus uberrimus singulas ad ecclesias redundare posset. Sed nostrum est in primis, recordari doctrinam nostram doctrinam pietatis esse, adeoque in promovenda atque instillanda pietate laborum omnium summam collocare. Nostrum denique, à scholis ad vitam, à theoria ad praxim, à professione ad mores, disciplinam Christianam transferre; quò sine, nonnisi evanida, coloribus omnibus ac lineamentis destituta, rei Christianæ umbra futura est.

Fallit-ne animus? Jam spes aliqua meliorum temporum affulget. Jam ingenia ad veritatis inquisitionem assurgere; Jam pietatis studia apud multos in pretio esse; Jam scripturæ lectio crebescere, etiam apud illos qui eam attingere nefas ducebant; Jam scholasticæ quisquilæ sordere; Jam solida sacrorum notitia plurimorum mentes imbui; Jam Christiana moderatio sese animis insinuare; Jam principes, ecclesia favere, zelo Dei succendi, pietatis exemplis præire; Jam sodalitia, ad rem Christianam promovendam instituta, ad finem illum nihil prætermittere, utròque in orbe ecclesias erigere, scholas fundare, libros emittere, proselytos sustentare, perituræ pecuniæ non parcere, ut æterna bona propagentur; cujus quidem beneficentiæ splendidissima non ita pridem visa sunt inter nos exempla: Jam viri multi doctrina pariter ac zelo conspicui, id sibi pensi datum arbitrari, in id totis incumbere veribus, ut greges sibi commissos Christo sistant quàm purissimos; jamque Deus eorum laboribus non obscurè benedicere. Quæ quidem auguria ne fallant, sed ut contrâ Christi regnum magis magisque promoveatur, splendeat fides, floreat pietas, virtutum omnium chorus excitetur, studiis, conatibus, votis, quòdque omnium potentius, exemplis, nobis omnibus allabandum est. DIXI.

dishonour, by evil report and good report ; being reviled to bless, and being defamed to intreat ;” and not to use any other armour, “ than patience, pureness, knowledge, 2 Cor. vi. 4. long-suffering, and kindness.” to bring our adversaries over to us ; making use of that saying of Nazianzen, “ Let us give up a little, that we may obtain concord, a thing much greater.” It is our part, laying aside all animosities, and giving up our own quarrels, for the sake of the Christian commonwealth, to fight for the common cause, to promote the kingdom of our common Lord, to conquer the common enemy, and to strive after the one common palm, to which we are all entitled. It is our part to bring, as near as we can, to the model of the primitive church, and apostolical institution, our worship and discipline, in whatsoever point they are less perfect. It is our part, to renew a mutual intercourse by letters, as often as there shall be occasion, between the churches ; to cultivate and cherish this correspondence by all kind offices : Which, as it was the custom not only in the ancient church, and at the time of the Reformation, so thereby very extraordinary advantages will redound to the protestant churches. But chiefly it is our part, to remember, that our doctrine is a doctrine according to godliness ; and therefore, that we ought to make it the chief aim of all our labours, to promote and instil piety. Lastly, it is our part to transfer the Christian discipline from scholastick disputations, to life ; from theory, to practice ; from profession, to morals ; without which it will only be a faint shadow of Christianity, void of all colours and lineaments.

Greg. Naz.
Orat. 14.

* *

But I am mistaken if the hope of better times does not now shine upon us : Now a new series of ages, and a new generation, seems to be rising up ; now the study of piety begins to be in esteem ; now the reading the Holy Scriptures, which many men formerly disdained, begins to be very frequent ; now the scholastick fooleries begin to be despised ; now men’s minds begin to be endowed with a solid knowledge of the holy truths ; now a Christian moderation begins to insinuate itself into their minds ; now princes begin to afford their favour to the church, to be inflamed with a zeal of God, and to give an eminent example of piety to others ; now societies are erected for the promoting Christianity, and omitting nothing which may be serviceable to this end, they erect churches on both sides of the world, found schools, give out books, provide a maintenance for converts, and spare not their money, which perisheth, to promote those good things which are eternal ; of which charity we have lately had most eminent examples. Now many pious and learned persons have used the utmost of their endeavours to make the congregations committed to their charge eminent for piety ; and God Almighty has been pleased manifestly to give a blessing to their labours. But we must not content ourselves only with these good presages, but we must labour with the utmost of our studies, endeavours, and prayers, but chiefly with, what is beyond all, our examples, that the kingdom of Christ may be more and more promoted, that our faith may shine, that piety may flourish, and that a choir of all Christian graces may be stirred up in us.

The Case of the Episcopal Clergy of Scotland truly represented. 1707.

The episcopal church of Scotland, which had been destroyed upon the Revolution, entertained some hopes during the latter part of Queen Anne's reign, when the Tory interest was predominant. They then brought forward this clamorous account of the hardships the episcopal clergy had sustained at the Revolution, when the people, acting upon their over-roused feelings, had proceeded against them by violence, without waiting orders from the government. De Foe, in his History of the Church of Scotland, has thus noticed these tumultuous proceedings: "As to the first, it is true, that as soon as the news came to Scotland that the Prince of Orange was landed with an army in England, and that King James was not able to maintain his ground, the people of England inclining to a general revolt: The people in the west of Scotland, for they were the first, ran immediately to arms, and declared for the Prince of Orange: This was done with so universal a resolution, and the consternation the other people were in at the general face of things was such, at the same time, that there was no capacity, or even disposition, to oppose them. In this general defection from the government, the western people not only took arms, as is said, but ran in a tumultuous manner, first upon the church affairs, for there it was that the oppressions of the former times had been most sensibly felt. In this first fury it cannot be wondered that they dispossessed the episcopal ministers (curates, as they called them,) of their churches, and, restoring the old worship, caused their own banished persecuted ministers to come and preach among them: But the nature of all such rabbles considered, and above all, the sufferings and provocation of those poor people, and of which I have given some account, being duly weighed, it must be confessed to be wonderful that any kind of violence was forborn; not that I allow it was just to have committed them, but how could less have been expected from a people so treated as they had been, when they were thus perfectly let loose to their own resentments; yet we do not find that the utmost violence complained of amounts to any more than an over-hasty turning the said episcopal ministers out of the parsonage houses, which it was their opinion were unlawfully possessed, and some injurious hurrying their goods out with them; and this but to few; but as to any personal injury, such as wounding or killing of any, I do not find that any such thing is charged upon them."—*Memoirs of the Church of Scotland*, page 313, §14.

In the month of December, 1688, a sudden and surprising report was spread all over Scotland, that ten thousand papists were landed from Ireland, with strange instruments of death for dispatching protestants. Concerning which, a letter was writ from the mayor of the city of Glasgow to the magistrates of the town of Hamilton, bearing, that they had already burnt down the town of Kirkubright, and were come within two-and-twenty miles of Hamilton, in order to use them at the same rate. This letter came to hand upon Friday night immediately before Christmas, and all the night after, the citizens wives were running about with their children in their arms, with hideous cries, What should become of them and their poor young ones! Upon Saturday, the contrivance being speedily and warmly managed, against eleven o'clock they were got together, in Douglas-moor, some six thousand presbyterians, well armed, upon pretence of defending the country from these invaders. But their design was quickly discovered; for, by three o'clock in the afternoon, they were all divided into small detachments, of two or three hundred in company, whose business it was to disarm all that were disaffected to their cause, and which actually they did.

These companies of armed men, to whatsoever parish they came, if the minister was at home, and not so securely protected by his parishioners, as that they were afraid to attack him, they carried him out to the market-place of the town or village where he resided, or to the most publick place of the parish, if it had no town in it; and there giving him names in abundance, pulled his gown over his ears, and tore it in many pieces, dislodging his family, and throwing the furniture out of his house, and threatening him with death if ever he should return to the place to preach any more. Some of them they drove through rivers, in a deep storm of snow which then happened, the rivers not being quite frozen over, and in such deep places, as that the water reached up to their necks. One of these ministers, so used, came in his wet cloaths through the deep snow to his brother minister of Straven's house, within seven or eight miles of Glasgow.

These, and such like usages, go under the name of Rabbling, the various instances of which were too tedious here to insert: Some were cruelly beaten and wounded; some of their wives, when they came to rescue them, big with child, were so violently pushed with the club-end of their muskets, that they immediately miscarried; as particularly, the minister of Kilbride's wife, a gentlewoman of a very good family, was so used. The parish lies within seven miles of Glasgow. By these, and such like usages, some two hundred and sixty ministers in the west of Scotland were expelled their livings. These violences were done all Scotland over, in such places where the presbyterians were absolute masters, but with best success upon the south side of the river of Forth. The minister of Kirknewtown, within six miles of Edinburgh, was more than once, I am sure twice, if not thrice, thus rabbled, and had his goods thrown out of his windows. All these things were done when episcopacy was yet the established government of the national church.

But a little after, to the just surprize of all, these very violences came to bear, in plain construction of law; for, in the very first parliament after the Révolution, in the act entituled, An Act ratifying the Confession of Faith, and settling Presbyterian Church government, bearing date the seventh day of June, 1690, not full a year and an half after these violences were done, some three hundred ministers, or thereabouts, who were thus rabbled, had their churches declared vacant from this very deed, without having any offer made them, or any other sentence pronounced against them. The word made use of in that act which comprehendeth rabbling, is "being removed;" to which are added those other two, of "deserting," or "being deprived." That this was the meaning of the word is plain, from the reasonings which the late Duke of Hamilton made against those violences used, and why they should not be patronized, nor so much as pointed at, in any act of parliament; and to prevent its being so done, moved to have the vote stated, Approve the deed of the rabble, or no? But the majority rejecting that rough word, stated, Approve the article, or no? And carrying it in the affirmative, the duke immediately rose from his seat in great resentment, with several others of the nobility, who followed him.

See the Act,
No. 1.

And that it may not be thought that this might happen through want of due and timely application by the episcopal ministers, who had been so barbarously used, a petition was presented to the honourable house of parliament, by them, in the month of May immediately preceding; which could never obtain so much as once to be read, notwithstanding of the very importunate and moving instances made by the Duke of Hamilton for it, and by Sir Patrick Scot, of Ancrum, who presented it, until the act itself was once passed, and then there was no place left for it.

See the Peti-
tion, No. 2.

But to come closer to the business: Seeing it is asserted so boldly, that the Scots episcopal clergy have a toleration, or the equivalent of it, and that there are no penal statutes standing in force against them, but, on the contrary, protection promised them, if they shall qualify themselves in the terms of the act of parliament.

For answer: The act of parliament is appealed to, bearing date June 12, 1693; and here it is desired that the qualification contained in the act may be looked into, the penalty therein threatened, with the protection promised.

First Article.

And, *First*, As to the qualification enjoined by the act of parliament, it runs in these terms, over and above qualifying to the government: "That they shall subscribe to the General Assembly's confession of faith, (for that is the confession of faith there to be understood) declaring that it is the confession of their faith, and that they own the doctrine therein contained to be the true doctrine, which they will constantly adhere to." This article, for several things contained in that confession, not so proper to be mentioned here, cannot be subscribed. And as to the second article, it runs thus:

Second Article.

"That they must own and acknowledge presbyterian church government to be the only government of that church; and they will submit thereto, and concur therewith, and never endeavour, directly or indirectly, the prejudice or subversion thereof." To this the answer seems to be very plain and very short; that a man owning in his conscience episcopacy to be the only true, ancient, catholick, and apostolick government of the church of Christ, cannot, without a manifest contradiction and violence done to the truth, sign to that article.

Third Article.

And as to the third, it maketh the act in *terminis*: "An act of uniformity in worship, and which worship they must subscribe to observe, and declare that actually they do observe it." For these are the words of the act. That worship, which, to the great scandal of all other protestant churches, hath thrown out that comprehensive form of prayer which our Lord hath taught and commanded us when we pray to say; with that religious hymn, so anciently enjoined, and so constantly used in the Christian church, to the honour of the Holy Trinity; rejecting also the apostolick creed in baptism, the great standard and summary of the Christian faith, to which we are to be baptized; and admitting no other standard of our intercessions and prayers to Almighty God, no other forms of sound words, than the private conceptions of every pretender, to be the mouth of a whole church-assembly, or congregation of God's people: And yet this is "the uniformity of worship which they must subscribe to observe, and declare, that actually they do observe it;" and if any ways they dissent from any of these, then they incur the penalties contained in the act. Is this a toleration? Nay, a toleration could never be intended, when we consider that the committee of the General Assembly, (which usually sitteth in time of parliament, and faileth not boldly to prescribe in church-matters, as in their late address to the parliament) openly declared, that if any toleration was granted, it was to establish iniquity by a law. But next, as to the penalties, which are as follows: "They must be suspended *tam ab officio quam a beneficio*;" that is, both from their offices and benefices: First, from their offices; and that is, (as interpreted by the subsequent act of privy council, in whose power it hath all along been both to interpret and execute the law) not to exercise any part of their ministerial function in any parish within the kingdom. And is not this a penal law? The penalty, methinks, is heavy enough to be deprived of bread, which the benefice implies, but yet heavier to be deprived of the exercise of all these sacred offices of religion, to which they were consecrated. But this is not all, nor doth this negative consummate the penalty of this law; for if they continue to exercise any part of their ministerial function, without subscribing and declaring as aforesaid, then they must incur banishment, and be for ever exiled from their native country, and exposed to all the miseries of poverty and distress among strangers. If this be a toleration, they have it; and if these be not penal laws, where are they to be found?

See the Act
of Privy-
Council,
No. 4.

Under all these penalties, restraints, and coercions, lie at present some hundreds of poor episcopal ministers, deprived of bread, and all means of earning it, except what proceeds from a free, generous, and Christian charity.

Some few indeed have enjoyed both their offices and benefices still, as before the Re-

revolution, and have duly qualified themselves to the government; but they owe this protection chiefly to the sound principles and affectionate adherence of their people to them; among whom no presbyterian minister can find any reception or encouragement, else they might promise themselves the same entertainment which the above-mentioned minister of Kirknewtown met with; for, their not signing to the General Assembly's confession of faith, their not owning presbyterian church-government, their not observing uniformity in worship, maketh them abundantly obnoxious to the penalties of the law; but it were hard enough to part such ministers and such people from one another.

A few more are connived at in meeting-houses (in Edinburgh, Kelso, Stirling, Dundee, Perth, Montrose, Aberdeen, and Elgin,) in all not exceeding five or six and twenty, in those towns, and very few or none in country parishes, where the people are not able to maintain ministers both in church and meeting-house, but still upon a precarious footing, or rather no footing at all, lying at simple discretion, which, upon proper occasion, expresseth itself by all possible severities, as last summer happened in the case of the lately deceased Mr George Mathers, minister at the meeting-house of St Andrew's, who, after he had qualified himself in all points, was immediately obliged to leave that town, having his meeting-house shut up; who, in two or three months afterwards, or thereabout, died at Edinburgh, in great misery and want, not letting his case be known till it was past remedy. It was but a short time before, that, in pursuance of the above-mentioned act of privy council, the ministers of the meeting-houses of Perth and Elgin were both put up in jail, by the magistrates of these respective burghs, though they daily prayed for the queen, and were ready to qualify themselves to the government. And how soon it pleaseth any of these magistrates or justices, in whose power it is, to put a stop to the ministry of these few that are in meeting-houses, there is nothing standing in their way to obstruct their procedure. This is the toleration and protection which the episcopal clergy of Scotland now enjoy.

NUMBER I.

An Act ratifying the Confession of Faith, and settling Presbyterian Church-Government.

June 7, 1690.

Our sovereign lord and lady, the king's and queen's majesties, and three estates of parliament, conceiving it to be their bound duty, after the great deliverance that God hath lately wrought for this church and kingdom, in the first place to settle and secure therein the true protestant religion, according to the truth of God's word, as it hath of a long time been professed within this land; as also the government of Christ's church within this nation, agreeable to the word of God, and most conducive to the advancement of true piety and godliness, and the establishing of peace and tranquillity within this realm; and that by an article of the claim of right, it is declared, that prelacy, and the superiority of any office in the church above presbyters, is, and hath been, a great and unsupportable grievance and trouble to this nation, and contrary to the inclinations of the generality of the people ever since the Reformation, they having reformed from popery by presbyters, and therefore ought to be abolished; like as, by an act of the last session of this parliament, prelacy is abolished. Therefore their majesties, with advice and consent of the said three estates, do hereby revise, ratify, and perpetually confirm, all laws, statutes, and acts of parliament, made against popery and papists: And for the maintenance and preservation of the true reformed protestant religion, and for the true church of Christ within this kingdom, in so far as they confirm the same, or are made in favour thereof. Like as they, by these presents, ratify

and establish the confession of faith, now read in their presence, and voted and approved by them, as the publick and avowed confession of this church, containing the sum and substance of the doctrine of the reformed churches, (which confession of faith is subjoined to this present act.) As also, they do establish, ratify, and confirm the presbyterian church-government and discipline; that is to say, the government of the church by kirk sessions, presbyteries, provincial synods, and general assemblies, ratified and established by the 114th act of James VI. Parl. 12, anno 1592, entitled, Ratification of the Liberty of the true Kirk, &c. and thereafter received by the general consent of this nation to be the only government of Christ's church within this kingdom; reviving, renewing, and confirming the aforesaid act of parliament, in the whole heads thereof, except that part of it relating to patronages, which is hereafter to be taken into consideration; and rescinding, annulling, and making void the acts of parliament following; viz. Act anent Restitution of Bishops, Jac. VI. Parl. 18, Cap. 2. Act ratifying the Acts of the Assembly, 1610. Jac. VI. Parl. 21, Cap. 1. Act anent the Election of Archbishops and Bishops, Jac. VI. Parl. 22, Cap. 1. Act entitled, Ratification of the five Articles of the General Assembly at Perth, Jac. VI. Parl. 23, Cap. 1. Act entitled, For the Restitution and Re-establishment of the ancient Government of the Church, by Archbishops and Bishops, Cap. 2, Parl. 1, Sess. 2. Act 1st, Act anent the Constitution of a National Synod, Cap. 2, Parl. 1, Sess. 3. Act 6. Act against such as refuse to depone against Delinquents, Cap. 2, Parl. 2, Sess. 2. Act 2. Act entitled, Act acknowledging and asserting the Right of Succession to the Imperial Crown of Scotland, Cap. 2, Parl. 3. Act. 2. entitled, Act anent Religion and the Test, Cap. 2. Parl. Act 6. With all other acts, laws, statutes, ordinances, and proclamations; and that in so far allanerly as the said acts and others, generally and particularly above-mentioned, are contrary, or prejudicial to, inconsistent with, or derogatory from, the protestant religion, and presbyterian government, now established, and allowing and declaring, that the church government be established in the hands of, and exercised by, these presbyterian ministers, who were outed since the first of January, 1661, for nonconformity to prelacy, or not complying with the courses of the times, and are now restored by the late act of parliament; and such ministers and elders only as they have admitted or received, or shall hereafter admit or receive: And also, that all the said presbyterian ministers have, and shall have, right to the maintenance, rights, and other privileges, by law provided, to the ministers of Christ's church within this kingdom, as they are, or shall be, legally admitted to particular churches; like as, in pursuance of the premisses, their majesties do hereby appoint the first meeting of the general assembly of this church, as above established, to be at Edinburgh, the third Thursday of October next to come, in this instant year, 1690. And because many conform ministers either have deserted, or were removed from preaching in their churches, preceding the thirteenth day of April, 1689, and others were deprived, for not giving obedience to the act of the estates, made the 13th of April, 1689, entitled, Proclamation against the owning of the late King James, and appointing publick Prayers for King William and Queen Mary: Therefore their majesties, with advice and consent aforesaid, do hereby declare all the churches, either deserted, or from which the conform ministers were removed or deprived, as said is, to be vacant; and that the presbyterian ministers, exercising their ministry within any of these paroches, (or where the last incumbent is dead) by the desire or consent of the paroch, shall continue their possession, and have right to the benefices and stipends, according to their entry in the year 1689, and in time coming, ay, and while in the church, as now established, take further course therewith. And to the effect the disorders that have happened in this church may be redressed, their majesties, with advice and consent aforesaid, do hereby allow the general meeting and representatives of the aforesaid presbyterian ministers and elders, in whose hands the exercise of the church-govern-

ment is established, either by themselves, or by such ministers and elders as shall be appointed and authorized visitors by them, according to the custom and practice of presbyterian government throughout the whole kingdom, and several parts thereof, to try and purge out all insufficient, negligent, scandalous, and erroneous ministers, by due course of ecclesiastical process and censures; and likewise for redressing all other church disorders. And further, it is hereby provided, that whatsoever minister, being convened before the said general meeting and representatives of the presbyterian ministers and elders, or the visitors to be appointed by them, shall either prove contumacious, in not appearing, or be found guilty, and shall be therefore censured, whether by suspension or deposition, they shall, *ipso facto*, be suspended from, or deprived of, their stipends and benefices.

NUMBER II.

Unto his Grace their Majesties' Commissioner, and the honourable Estates of Parliament:

The Petition of the Ministers who were thrust from their Churches by Force and Violence, in December, 1688, or at any Time thereafter, before the 13th Day of April, 1689.

Humbly sheweth,

Whereas your petitioners (though they entered to their offices and benefices at their respective churches, according to law, and were in uncontroverted possession of them) were thrust from these their offices and cures, by notorious force and violence, cast out of their dwellings, with their families and furniture, and threatened with death, if they should offer to return to the exercise of their ministry at their respective churches:

Whereas your petitioners, upon such violent treatment, made application to his present majesty, then his Highness the Prince of Orange, (who, at the humble desire of divers lords and gentlemen of this kingdom, had then taken upon him the government and administration of the affairs of this realm), by their humble prayer for protection, of the date at Glasgow, the 22d of January, 1688-9, presented to his majesty by Dr Robert Scott, minister at Hamilton, impowered by your petitioners for that effect, as will appear from his commission of the same date; and upon that application, his majesty did emit a declaration for keeping the peace, &c. in the kingdom of Scotland, of the date at St James's, the sixth day of February, 1688-9, whereby he did expressly prohibit all disturbance and violence upon the account of religion, and authorise all protestants to enjoy their several opinions and forms of worship, whether in churches or meeting-houses, whether according to law, or otherwise, with the same freedom, and in the same manner, in which they did enjoy them in the month of October preceding, as the said declaration more at length bears; whereby it is evident that his majesty, and his counsellors and advisers for Scottish affairs, at that time, were clearly convinced of the violent wrongs your petitioners had met with, and of the irregularity and illegality thereof.

Whereas, notwithstanding the said declaration, the persecution of your petitioners continued as hot as ever; as is evident from a second tumult at Glasgow, upon the 17th day of February, and year abovesaid, being the Lord's Day, on which both ministers and hearers (having assembled for divine worship, according to law, and upon the protection and security contained in the said declaration) were most violently assaulted by an enraged multitude, in the high church of that city; and a great many

other instances which may be easily adduced. And a representation of that tumult in Glasgow, and a second application for protection, were made to his majesty, by Dr James Fall, Principal of the College of Glasgow: And his majesty referred the matter to the meeting of estates, indicted by him to sit at Edinburgh, the 14th of March, and year aforesaid.

Whereas the said meeting of estates did not think it convenient in that interim, by their authority, to repossess your petitioners of their just, legal, and undoubted rights, as appears from their proclamation, of the date at Edinburgh, the 13th day of April, 1689; so that your petitioners wanting protection, durst never since, without the manifest peril of their lives, adventure to return to the exercise of their ministry at their respective churches.

Whereas your petitioners (beside the unspeakable grief it is to them to be thus restrained from the exercise of their sacred function) are generally reduced to great necessities, and many of them, with numerous families, are at the point of starving, having no livelihood but their stipends, and being refused payment of these by the debtors thereof, upon pretence of an act of council, dated December the 21th, 1689, whereby intimation is made to all judges, that the case of the ministers, who are not in the actual exercise of their ministerial function the 13th of April, 1689, lieth under the consideration of parliament; and they are required, in executing of sentences already recovered, and in judging of processes, to be intimated at the instance of such ministers, to behave themselves as they will be answerable; which act, not only the debtors of your petitioners stipends pretend for not paying the same, as said is, but also many inferior judges do so construct, that they will grant no decrees in favour of your petitioners. And,

Whereas, by the laws of this realm, your petitioners (being ministers of the gospel of Christ, and having entered legally to their offices and benefices, as said is) have a right to protection in the exercise of their ministry, at their respective churches, and to their benefices, *ad vitam vel culpam*, and can neither be deprived of either without a legal sentence. And now that your grace and the estates are met in parliament, to which the case of your petitioners is referred by the aforesaid act of privy council,

May it therefore please your grace, and the honourable estates of parliament, to take the premises under consideration, and interpose your authority, for restoring your petitioners to the exercise of their ministry at their respective churches; for causing make payment of the stipends that are due to them by law, and for protecting them both in their offices and benefices, according to law.

NUMBER III.

Act for settling the Quiet and Peace of the Church.

Edinburgh, June 12, 1692.

Our sovereign lord and lady, the king and queen's majesties, with advice and consent of the estates of parliament, ratify, approve, and perpetually confirm the fifth act of the second session of this current parliament, entituled, Act ratifying the Confession of Faith, and settling Presbyterian Church Government, in the whole Heads, Articles, and Clauses thereof: And do further statute and ordain, that no person be admitted, or continued, for hereafter, to be a minister or preacher within this church, unless that he having first taken and subscribed the oath of allegiance, and subscribed the assurance, in manner appointed by another act of this present session of parliament, made thereanent, do also subscribe the confession of faith, ratified in the foresaid fifth act of the second session of this parliament, declaring the same to be the confession of

his faith, and that he owns the doctrine therein contained to be the true doctrine, which he will constantly adhere to; as likewise, that he owns and acknowledges presbyterian church-government, as settled by the aforesaid fifth act of the second session of this parliament, to be the only government of this church, and that he will submit thereto, and concur therewith, and never endeavour, directly or indirectly, the prejudice or subversion thereof. And their majesties, with advice and consent aforesaid, statute and ordain, that uniformity of worship, and of the administration of all publick ordinances within his church, be observed by all the said ministers and preachers, as the same are at present performed and allowed therein, or shall be hereafter declared, by the authority of the same; and that no minister or preacher be admitted or continued for hereafter, unless that he subscribe to observe, and do actually observe, the aforesaid uniformity. And for the more effectual settling the quiet and peace of this church, the estates of parliament do hereby make an humble address to their majesties, that they would be pleased to call a general assembly for the ordering the affairs of the church. And to the end that all the present ministers possessing churches, not yet admitted to the exercise of the aforesaid church-government, conform to the said act, and who shall qualify themselves in manner aforesaid, and shall apply to the said assembly, or the other church-judicatures competent, in an orderly way, each man for himself, be received to partake with them in the government thereof; certifying such as shall not qualify themselves, and apply to the said assembly, or other judicatures, within the space of thirty days after meeting of the said first assembly, in manner aforesaid, that they may be deposed by the sentence of the said assembly, and other judicatures, *tam ab officio, quam a beneficio*; and withal declaring, that if any of the said ministers, who hath not been hitherto received into the government of the church, shall offer to qualify themselves, and to apply in manner aforesaid, they shall have their majesties full protection, ay and while they shall be admitted and received in manner aforesaid: Providing always, that this act, and the benefit thereof, shall no ways be extended to such of the said ministers as are scandalous, erroneous, negligent, or insufficient, and against whom the same shall be verified within the space of thirty days after the said application; but these, and all others, in like manner guilty, are hereby declared to be liable and subject to the power and censure of the church, as accords. And to the effect that the representation of this church, in its general assemblies, may be more equal in all time coming, recommends it to the first assembly that shall be called, to appoint ministers to be sent as commissioners from every presbytery, not in equal number, which is manifestly unequal where presbyteries are so, but in a due proportion to the churches and parochies within every presbytery, as they shall judge convenient. And it is hereby declared, that all school-masters, and teachers of youth in schools, are, and shall be liable to the trial, judgment, and censure of the presbyteries of the bound, for their sufficiency, qualifications, and deportment in the said office. And, lastly, their majesties, with advice and consent aforesaid, do hereby statute and ordain, that the lords of their privy-council, and all other magistrates, judges, and officers of justice, give all due assistance for making the sentences and censures of the church, and judicatures thereof, to be obeyed, or otherwise effectual, as accords.

Extracted forth of the records of parliament, by

TARBAT, Cls. Regist.

God save King William and Queen Mary.

* i. e. That none of the forms be retained in the publick worship of God, that are not used by the presbyterians; viz. the Lord's Prayer, the Doxology, the Apostles Creed; and that the holy scriptures must not be read in the publick assemblies as heretofore.—*Orig. Note.*

NUMBER IV.

Act anent Intruders into Churches.

The lords of her majesty's privy-council, having taken to their serious consideration a representation made to them by the commission of the late general assembly of the church, and in the name, and by the warrant of the said assembly, of several church-irregularities and disorders, as particularly, that where churches happen to vaik by death, or otherwise, the keys thereof are withdrawn by disaffected persons, and the presbytery of the bounds refused or hindred to have access thereto, notwithstanding of the frequent orders and acts made for remedy of these abuses. Secondly, That persons having no authority from, or within this church, but pretending warrant from the late exauctorat bishops, do take upon them to preach and exercise other acts of the ministerial function, contrary to all good order, and to perpetuate an unhappy schism. And, Thirdly, That where intruders are removed from kirks or paroches, by sentence of the lords of council, for their intrusion, yet, for eluding of the said sentence, they do either remove only to the border of a neighbouring paroch, and there continue to exercise, or otherwise intrude elsewhere, as if no sentence had passed against them. The said lords of privy-council, for remedy of the said abuses, do therefore, in the first place, in prosecution, and for the more effectual execution of the acts of parliament and privy-council made for that effect, require and command all sheriffs and their deputies, and all other magistrates and officers of the law, within whose bounds any church is, or shall happen to be vacant, that, upon application made to them by the presbytery of the bounds, or any in their name, they make, or cause to be made, the same patent to the presbytery; and deliver, or cause to be delivered, to the said presbytery, or any having their warrant, either the usual keys of the said church, or new keys, in place of the former usual keys, abstracted and withdrawn, whereby the church may be made freely patent; and that, within the space of fifteen days after they shall be required thereto, by form of instrument taken against them, personally for that effect, with certification, that if they refuse to make, or cause to be made, the said church patent to the presbytery, in manner aforesaid, within the said space of fifteen days, letters shall be direct at the instance of the kirk-agent, by deliverance of privy-council, summarily against them, charging them thereto *simpliciter*, within the space of ten days. And the said lords of her majesty's privy-council do hereby order and warrant the aforesaid letters to be direct conform to the said certification, and that without prejudice of the pains contained in the act of parliament, 1698, against the said sheriffs, and others, who shall refuse to obtemper in the terms of the said act. And, in the next place, the said lords of privy-council do hereby expressly prohibit and discharge all persons, who neither had, nor have any authority, from or within this church, but pretend allennerly to a warrant or licence from the late exauctorat bishops, since they were exauctorat, to take upon them to preach, or exercise any part of the ministerial function within this church, or within any kirk or paroch thereof; certifying such as shall presume to preach or exercise in the contrary, without being duly authorized and qualified according to law, they shall not only be liable, upon due information, to be summarily seized and secured by the magistrates of the bounds, in order to their trial, (and which magistrates are hereby authorized to seize them accordingly), but also, upon due trial, they shall be banished by sentence of the lords of the privy-council, forth of the kingdom, conform to the act of parliament, 1693; and farther, the late bishops exauctorat, as said is, are hereby discharged to grant any such warrant or licence, as they will be answerable upon their highest peril. And, Thirdly, the said lords of privy-council do hereby declare and certify,

that if any minister or preacher, either deprived by sentence of the lords of privy-council, or not qualified according to law, and who shall be removed from any church or paroch, as an intruder, by sentence of the said lords, shall be found again transgressing, by intruding into any other kirk or paroch, contrary to the act of parliament, 1695, made against intruding into churches, without a legal call and admission thereto, he shall not only be summarily seized and secured, upon due information, by the magistrate of the bounds, to answer for his transgression, (and which magistrates are hereby authorized to seize him accordingly) but also, after due conviction, he shall be banished forth of the kingdom, conform to the said acts of parliament. And the lords of her majesty's privy-council do hereby ordain these presents to be printed and published at the mercat-cross of Edinburgh, and all other places needful, that none pretend ignorance. Given under our signet, at Edinburgh, the 21st day of March, 1706, and of our reign the fourth year. *Per Actum Dominorum Secreti Concilii, Al. Maitland, Cls. Sti. Concilii.*

God saye the Queen.

TRACTS
DURING
THE REIGN OF QUEEN ANNE.

CLASS SECOND.
CIVIL TRACTS.

CIVIL TRACTS.

CLASS SECOND.

QUEEN ANNE.

A Copy of the late King's Will : Translated from the French Original. Printed at the Hague, May 11, 1702.

In the name of the Lord, amen.

WE, William, by the grace of God, King of Great Britain, Prince of Orange, &c. Considering the infirmity and mortality of man, the certainty of death, and the uncertainty of the time and hour of it, have thought fit and resolved, before we leave this earthly vale, to dispose of the temporal goods which it has pleased God to give us, as well feudal as allodial, by virtue of a grant from the states of Holland and West Friesland, bearing date, June 15, 1673. Recommending first our immortal soul into the merciful hands of God, and our Saviour Jesus Christ, and our mortal body to the earth; revoking, cancelling, and annulling, by these presents, all testaments, codicils, or other disposals, which we have hitherto made or executed, it being our desire that neither they, nor any of them, should be valid, or in any wise take effect: But disposing thus anew, we declare we have named and appointed, as by these presents we do name and appoint, our cousin, the Prince of Nassau, eldest son of Prince Casimer of Nassau, at present stadtholder of Friesland, our sole and universal heir of all our estate, as well feodal as allodial, which we shall leave at the day of our death; reserving to ourselves to appoint him such guardians as we shall hereafter think fit. We further declare, that we reserve to ourselves the power of bequeathing, under our hand and private sign manual, such legacies and gifts as we shall hereafter think fit; willing and desiring, that, whether they be written by us only, and signed by us, or written by another and signed by us, they may have the same force and validity as if they were particularly inserted and expressed in our will. We declare all that is above-written to be our will and testament, desiring that it may have and take effect, either as a testament, codicil, donation because of death, or in any other manner that may render it most valid and effectual, notwithstanding any neglects or mistakes that may be committed in it, which we desire may be rectified and made good in the best manner that is possible. Naming and appointing, for executors of this our last will and testament, the States-general of the United Provinces, desiring them to accept of it, and to be pleased to execute our last will and testament. In witness whereof, we

have caused these presents to be written, and have signed them with our hand and sign manual, and sealed them with our seal.

At the Hague, October 18, 1695.

(Signed)

WILLIAM R.

The seal of his majesty was put on the side of it, impressed on black wax. The subscription was as follows:

"To-day being the 19th of October, 1695, before me Adrian Van Stervelt, publick notary, with allowance of the court of Holland, and residing at the Hague, in the presence of the under-named witnesses, appeared William the Third, by the grace of God, King of Great Britain, Prince of Orange, &c. being known to me the said notary, and being in perfect health of body, exhibited to me the said notary, this present paper, sealed in four places with his majesty's seal, and sewed with black silk; and said, in it was contained the last will and testament of his majesty, and desired that it should take effect as such, though all the forms requisite might not have been observed.

"This was done and passed at the Hague, in the presence of William, Earl of Portland, and William de Schuylenbourg, who were desired to be witnesses of it; and who, together with his majesty, and me the said notary, signed these presents, the day and the year above-written. It was signed William King, Portland, William de Schuylenbourg; and lower, in the presence of me Adrian Van Stervelt, notary.

It agrees with the original.

(Signed)

P. VAN ASSENDELFT."

Political Remarks on the Life and Reign of King William III. First, From his Birth to the Abdication of King James II. Secondly, From his Accession to the Crown of England to his Death.

This is a favourable, but by no means a partial, account of the life of the great monarch to whom it refers.

First. THOUGH fortune might seem a step-mother to this prince, by depriving him of a father, before scarce a human soul had been breathed into the infant, yet she abundantly made amends for that unkindness, by the prudence and indulgency of his mother, eldest daughter of King Charles I. who, by means of the blood from whence she sprung, not only conveyed to him a prospect of attaining to three kingdoms, but also, by the care she took of his education, she formed his soul worthy of the crowns he was destined by Providence to wear.

We read a story of Sempronius, that he caught two snakes engendering, and that, being surprised at the novelty, he consulted the oracle what the unlucky omen meant: The priest returned an answer, that either himself or his wife must die; and that it was at his election, whether he would submit to death himself, or doom the partner of his bed to that misfortune: That, upon his killing the male snake, it was his turn to

A General Abstract of the Receipts and Issues of the Publick Revenue, Taxes and Loans during the Reign of his late Majesty King William; that is to say, from the 5th of November, 1688, from which Time the Parliament appointed the said Accounts should commence, to the 25th of March, 1702; being the first Determination of the Accounts after the Demise of his said late Majesty, which happened on the 8th of March preceeding.

Receipts.	Customs, besides drawbacks, damages, salaries, &c.	4,285,697	1	6	
	Ditto from Christmas 1699 to the first of August 1706	934,923	8	0	
Customs.	Impositions on linen, silk, &c. thot ended 1st July 1690	143,880	9	6	
	Ditto on tobacco and sugar	1,374,232	17	8	
Customs.	Ditto on wines and vinegar	1,750,388	15	7	
	Ditto on East India goods, &c. from Christmas 1690	1,801,906	2	9	
Customs.	Additional imposition on merchandizes, and commenced 1st March 1693 to the 1st March 1696, thence to the 1st Aug. 1706	501,120	2	0	
	New duty on coffee and tea, &c. and ditto continued for paying interest of Irish transports	105,203	11	3	
Customs.	Additional duty on brandy from the 1st March 1694	22,691	7	0	
	Tunnage duty from 1st June 1694 and ending 17th May 1696	175,335	16	6	
Customs.	Duty on coals taken off 17th May 1696	22,004	19	3	
	Duty on glass and earthen ware as relating to the coal act	7,750	0	0	
Customs.	25 per cent. French goods	161,349	9	2	
	New duty on coals for 5 years from 15th May 1698	465,857	6	1	
Customs.	5s. per tun French ships, granted 12th Car. II.	1,908	7	2	
	22s. per pound East India silks	19,140	5	5	
Customs.	Plantation duty, granted 25th Car. II.	4,708	16	2	
	Arrears of additional impositions on wine entered in 1689	1,900	0	0	
Customs.	New subsidy of tunnage and poundage for two years and three quarters	464,297	8	9	
	Additional tunnage and poundage from January 1699, for his majesty's life	634,548	11	7	
Customs.	Cynders 5s. per Choldron	1,221	0	3	
	15 per cent on India-wrought silks and muslins, granted 11th and 12th William	116,767	18	6	
					13,296,833 14 6
Excise.	Hereditary and temporary excise neat	5,918,887	17	4	
	Low wines, from 24th December 1690	166,392	17	6	
Excise.	Double excise from 17th November 1690 to ditto 1691	612,291	3	3	
	Additional excise of 9d per barrel, from Michaelmas 1689, appropriated	339,610	15	9	
Excise.	Additional excise, viz. 9d per barrel, determined 24th July, 1692, and double 9d. commenced 17th Nov. 1691, ended 17th May 1732	1,732,497	15	3	
	Complements of excise, 24d per barrel to 24th July 1692, and 30d. per barrel thence to the 17th November 1692	381,080	5	9	
Excise.	Excise for 99 years, in the million fund act, from 25th January 1693	1,229,727	17	5	
	Imp. on salt from 25th Mar., 1694, 12d. per bushel, granted 7th William, joined with whale fins, Scots linen, &c. granted 9 and 10 William for 8 years, from 10th July, 1693	436,724	3	0	
Excise.	9d excise, continued from 17th May, 1697, for million lottery tickets, thence for 16 years	644,396	14	6	
	9d excise, made hereditary from 17th May, 1697, for the bank, and annuities for 1, 2, and 3 lives, in lieu of 4 and 3 tunnage	618,532	5	6	
Excise.	Duty on malt, from 20th April, 1697	922,983	10	3	
	Additional duty on salt of 8d from 25th March, 1697, to the 25th December, 1699	103,191	16	3	
Excise.	20d per bushel salt from 1st July, 1698, (for the East India Company) and 8d from 25th December, 1699	276,474	12	6	
	Duty on leather	208,102	16	9	
Excise.	Whale fins, Scots linen, and arrears of glass ware, &c.	46,420	15	10	
	Low wines joined with coffee, and 15 per cent. muslins, by an act 12 and 13 William	12,012	13	2	
					13,649,328 0 5
Hearth Money.	Hearth money, besides charges of getting in	221,763	18	0	
	Letter money, besides charges of management	871,054	17	11	
Hearth Money.	Small branches and casualties	915,778	11	8	
					2,308,597 7 8
Land Taxes.	Present aid or six months tax for 1689	4,914	7	3	
	First aid for 12d in the pound for 1689	496,108	6	1	
Land Taxes.	2s aid for 1690	1,015,732	2	7	
	Additional 12d for 1690	507,866	0	8	
Land Taxes.	First twelve months aid for 1691	1,613,747	9	1	
	Second ditto for 1692	1,613,874	13	5	
Land Taxes.	First 4s aid for 1693	1,922,712	19	4	
	Second ditto for 1694	1,913,488	16	4	
Land Taxes.	Third ditto for 1695	1,860,039	10	2	
	Fourth ditto for 1696	1,736,248	1	10	
Land Taxes.	5s aid for 1697	1,244,789	4	0	
	Additional 12d for 1697	418,646	10	11	
Land Taxes.	Second 3s aid for 1,484,015l. 1s. 11d. over and above 229,696l. 4s. 10d. transferred to pay annuities to the bank, &c. for 1698	1,188,021	18	1	
	Third 3s aid for the same sum for 1699	1,431,771	6	8	
Land Taxes.	Second 2s aid for 989,965l. 19s. 6d. for 1700	951,066	6	5	
	1/2 and 3/4 of fourth 3s aid	859,051	15	2	
					10,174,059 8 3
Polls.	First poll for 1689	288,438	2	1	
	Review of the first poll, and an additional poll for 1690	23,059	7	1	
Polls.	Second poll for 1690	239,958	7	11	
	First quarterly poll for 1692	579,178	11	2	
Polls.	Review of ditto for 1693	6,388	4	0	
	Second quarterly poll for 1694	486,321	2	2	
Polls.	Capitation for 1697	612,912	16	9	
	Third quarterly poll for 1698	321,397	16	3	
					2,557,649 7 7
Promiscuous Taxes.	Smugglers fines to Michaelmas 1698	19,500	0	0	
	Exchequer bills issued by virtue of an act for establishing a land bank, anno 1695 (158,589l. being repaid as per contra)	159,173	1	0	
Promiscuous Taxes.	Joint stock charged by act of parliament 1692, two quarterly payments	43,219	0	0	
	First million act in 1693, annuities by 9d excise for 99 years	1,000,000	0	0	
Promiscuous Taxes.	Fines and rent on hackney coaches for 1694	41,150	0	0	
	Paper and parchment duties for 1694, continued to 28th June, 1693	205,566	1	2	
Promiscuous Taxes.	New duties on ditto for two years, from the 1st March, 1698	17,813	8	9	
	Million lottery or contributions on salt for 1694	934,512	17	7	
Promiscuous Taxes.	On the tunnage act by the Bank of England for 1694	1,200,000	0	0	
	On annuities for 1694, for 1, 2, and 3 lives for 300,000l.	300,000	0	0	
Promiscuous Taxes.	Duties on marriages, births, burials, &c. commencing 1st May, 1695, and ending 1st May, 1700	258,094	1	10	
	Subscriptions to the national land bank	1,775	0	0	
Promiscuous Taxes.	Duties on houses or windows	53,466	10	0	
	Money or plate at 6s. an ounce for malt lottery tickets	17,615	13	1	
Promiscuous Taxes.	Additional duty on stamp paper, made perpetual with salt, for the East India Company	153,487	11	5	
	Subscriptions of 2,000,000l. for East India trade	1,882,413	9	0	
Promiscuous Taxes.	Parchment and paper stamp duties continued from 1698, to the 1st August, 1706	152,098	16	10	
	Purchasing of reversionary annuities by several acts of parliament passed in several years	581,750	15	0	
Promiscuous Taxes.	Duties on glass and earthen ware	15,732	1	7	
	Licences to hawkers and pedlars	26,513	15	1	
Promiscuous Taxes.	Duties on marriages, births, &c. continued from 1st May, 1700, to 1st August, 1700	17,423	16	2	
					7,531,305 18 11
Divers Receipts.	Letter money overpaid in 1696	102	16	5	
	Surcharged on the commissioners of excise in 1697	89,695	13	6	
Divers Receipts.	Coinage money from 1698 incl. in the other years placed with small branches	42,658	10	1	
	Tellers malt benefits in 1698	1,715	0	0	
Divers Receipts.	Imprest repaid in 1696 and 1699	162,036	4	2	
	Accounts of new money from the mint in years 97, 98, and 99, in aid of 2,599,797l. 14s. 10d. per contra, deficient at Mich. 1696	184,656	17	11	
Divers Receipts.	Poll anno 1697	50	0	0	
					480,915 2 2
					58,698,688 19 8
					13,348,680 5 10
					72,041,369 5 6
					80,138 18 0
					Error - - - - -
					72,127,508 3 6

of the general account of money borrowed and repaid within the time of this account in several years the money borrowed exceeding the money repaid in those years, respectively the sum of 13,348,680l. 5s. 10d. though in other years the money repaid exceeded the money borrowed in those years, respectively the sum of 3,341,903l. 8s. 8d. as per contra, which reduceth the neat money more than repaid during the whole time of this account to 10,006,776l. 17s. 1d.

That remained on the 5th of November, 1688, in the exchequer, in the hands of the several receivers

Error - - - - -

Issues Navy.	To Anthony Lord Viscount Faulkland, late Treasurer of the Navy, for the navy and victualling	198,068	0	1		
	To the Earl of Orford, late Treasurer of the Navy, on the same account	16,940,521	9	10	19,822,141	4 6
	To the Right Hon. Sir Thomas Littleton, Treasurer of the Navy, on the same account	2,683,551	14	7		
Army.	For the service of Ireland { Mr Harbord - 1,073,228 12 7 1/2 Mr Henly - 4,560 0 7 1/2 Mr Fox and Lord Coningsby - 2,773,806 7 9 1/4	3,851,655	1	0	22,017,706	15 0
	To the Earl of Ranelagh for the forces under his pay	18,164,951	14	0		
	To Colonel Hill, Governor of the Leeward Islands, for his own soldiers and arrears	1,100	0	0		
Ordnance.	To the Treasurer of the Ordnance for sea and land service				3,008,535	16 10
						44,348,383 16 5
Civil List.	To the Cofferer of the Household				1,300,130	2 2
	Treasurer of the Chambers	484,763	16	1		
	Ditto, for the charges of the late queen's coffins	328	16	0	485,092	12 1
	Great Wardrobe	319,876	8	2		
	Ditto, for the late queen's mourning	42,844	4	5	362,720	11 7
	Robes	57,128	2	2		
	Ditto to Lord Sidney, upon account for clothes furnished K. Charles II. when he was master of that office	5,128	0	3	62,248	3 5
	Paymaster of the works	474,050	15	1		
	Ditto on account of the late queen's funeral	4,000	0	0	483,050	15 1
	Mr Roberts, paymaster of the works at Windsor, on account for works there over and above what has been paid thereunto out of the revenues of the Honour and Castle of Windsor	5,000	0	0		
	Gordens { Upon account of making his majesty's gardens, over and above the gardeners' salaries payable by the Treasurer of the Chamber until 1695	115,097	12	7	133,797	12 7
	{ On the contract for 4,800l. per ann. commencing from -	16,800	0	0		
	{ On the new allowance of 2,600l. per ann. which commenced from Christmas 1700	1,900	0	0		
	Stables for buying horses, and for liveries and extraordinaries, 235,965l. 15s. 3 1/2 d. Foreign misters for ordinaries and extraordinaries	462,753	7	2	98,719	2 6
	Fees and salaries				858,056	16 9
	Pensions and annuities				686,189	17 7
	Queen Dowager				178,031	15 4
	Late Queen's Treasurer				506,386	10 0
	Ditto for French protestants				75,000	0 0
	Prince and Princess of Denmark				638,921	15 7
	Duke of Gloucester, on 1500l. per ann.				37,500	0 0
	Bond of Gentlemen Pensioners				69,000	0 0
	Secret service { Secretaries of the Treasury	616,323	7	2		
	{ Secretaries of State	76,968	19	6	775,387	6 8
	{ Particular Persons, by his majesty's warrants under his royal sign manual	82,100	0	0		
Privy Purse	483,555	0	0			
Ditto for purchasing fee-farm rents { To the Earl of Portland	24,571	5	4	541,726	5 4	
{ To the Lord Somers & al.	33,600	0	0			
Jewels				66,006	0 0	
Plate				102,843	13 8	
Bounties paid at the Exchequer to several persons by his majesty's particular warrants in thot behalf				226,823	19 1	
Monsieur Fleury for goods taken from the French at Bourbon Fort, Hudson's Bay, and given to the Hudson's Bay Company, which by the Treaty of Reswick were to be restored				1,086	18 0	
Subscriber of 2,000,000l. for the East India trade an allowance of 1l. per cent.				20,000	0 0	
The receivers of 2,000,000l. in reward, and for charges in passing their accounts				16,000	0 0	
To Mr Stratford, in part of 20,000l. in cloth sent to Sweden				12,000	0 0	
Earl of Ranelagh for Lord Fairfax 600l. Bounty to officers widows 1670l. To French officers 730l. For liveries for Lumley's trumpeters 393l. 3s. And for court drums and fifes, salary 240l.				3,634	3 0	
Contingents of divers natures, viz. Law charges, liberates of the Exchequer, riding charges to messengers of the Court and Receipt of Exchequer, rewards and extraordinary charges to receivers of taxes, and to several others on sundry occasions, surpluses of accounts, printers bills, sundry works and repairs by the surveyors of the woods, the private roads, and other particular officers; his majesty's subscription of 10,000l. to the Bank of England, a like sum to the New East India Company, as also 3000l. for carrying on the trade, bounties for apprehending highwaymen, traitors, and libellers, money paid for purchasing land to be laid into his majesty's park at Windsor, and very many other accidental payments.				534,809	1 10	
Divers Issues.	States General, pursuant to an act of parliament, anno 1689				600,000	0 0
	Servants of King Charles II. by ditto act				60,000	0 0
	To the Mint out of the coinage duty, &c. which includes several payments relating to the recoinage in general				259,584	17 7
	Redemption of captives				1,000	0 0
	Privy purse of the late King James at the Exchequer				200	0 0
	Principal money lent tempore Jacobi II.				138,412	19 9
	To several for money advanced in the west in 1688				4,000	0 0
	Interest money paid to several out of the revenues, taxes and loans, and for divers other causes				5,216,530	2 4
	Interest to the Bank of England				875,880	16 9
	Annuities { On survivorship, and 14 per cent. on the Million Act, &c.				1,079,809	2 9
	{ On the tunnage for 1, 2, and 3 lives for 300,000l.				287,059	14 11
	{ On lottery for a million paid in for 16 years annuity				1,049,776	15 5
	To the malt lottery office, in part of 1,200,000l. principal and interest				760,142	6 0
	To the Treasurer of the Excise, to satisfy tallies of excise and post office				467,000	0 0
	To the English East-India Company and general society trading thither, on 160,000l. per ann.				429,962	3 11
	To the trustees for circulating exchequer bills, for premiums, salaries, &c. besides 43,435l. inclus. in acc. of int. 1697				254,119	3 7
	Principal money repaid, more than borrowed, for several years				3,341,903	8 8
	To receivers of taxes, in reward for extraordinaries				5,446	9 8
	To Peter Hume, gentleman, to be applied as his majesty should direct				5,200	0 0
	New money, in part of 122,584l. 2s. 1d. old money recoined, paid the army and navy				84,963	8 8
	To the Commissioners of Excise in new money, the proceed of old money received from them				56,988	11 5
	Clipt money delivered to be recoined more than it produced to Michaelmas, 1690, in aid whereof there was returned from the Mint in after years more than was sent thither in those years as per contra, 184,656l. 17s. 1 1/2 d. which reduceth the general deficiency of the recoinage to 2415,140l. 16s. 10 1/2 d. the deficiency in the year 1696, amounting to				2,599,797	14 10
	To the four Tellers of the Exchequer in Exchequer bills, to be delivered to such persons as brought money for them in 1695				158,589	0 0
	Imprest money repaid to the Treasurer of the Navy, being old money new coined				4,422	3 7
	New money to the Earl of Ranelagh, the proceed of 13,000l. in old hammered money				6,497	9 0
To several, for a reward of 6s. an ounce for wrought plate brought in to be coined				3,846	17 8	
To the Treasurer of Greenwich Hospital, pursuant to the address of parliament				19,500	0 0	
To the commissioners for forfeited estates in Ireland				3,133	15 0	
To the commissioners for stating and determining accounts for incidents, &c.				3,500	0 0	
To the Tellers of the Exchequer for a loss on 89,196 1/2 guineas, received at 22s. and issued at 21s. 6d.				2,229	18 3	
Interest of the banker's debt				466	7 7	

die; and that, upon the death of the female, his wife must undergo the same destiny. This generous Roman, untterrified with the apprehensions of another world, caused the snake to die, whose fate was twisted with his, confiding in the known piety and prudence of his lady, and believing her life more necessary to the common good of his family than his own. The oracle and his uxorious confidence were just; he died according to the prediction of the first, and his family, by the conduct of his widow, found themselves little prejudiced in the loss of so eminent an example of tenderness.

I shall not insist upon the truth of this story, we have some good authors to vouch it; but certainly, if the Prince of Orange, father to the late King William, had been permitted such an unhappy choice, he might, without a blemish to his character, have followed the steps of that illustrious Roman, and spared his lady, whose wisdom, courage, and civility laid the first foundation of that grandeur, which her warlike son, in succeeding ages, attained to.

The States of the Seven Provinces stood his godfathers: Nor did his mother, though so nearly allied to the crown of England, think it beneath her quality to implore the protection of persons meanly born, in comparison of her illustrious offspring, nor were the methods she undertook unagreeable to sound policy. The princely widow understood her interest very well, and the godson of those high and mighty potentates received, both in his own person; and in the respect was paid his mother, the greatest arguments of their sincere friendship and esteem.

No blazing star preceded his birth, and, with its prophetick beams, presaged his future grandeur. The Dutch astrologers could not see so clearly as the English, who affirmed, that a star of such a nature was seen just before the nativity of King Charles II. In this his countrymen acted unhandsomely, in depriving his birth of so glorious and remarkable an accident.

And it must be acknowledged, as more reasonable in itself, if those celestial luminaries attend our actions here below, that the brightest of them should rather have waited on the nativity of King William, who restored the glory of the English, than upon King Charles II. who, by the supineness of his conduct, had near lost the reputation of his country, and the balance of Europe.

This humility of the Princess of Orange was as much commended by some as censured by others; but whoever weighs it, must acknowledge it a piece of refined policy, and that her consideration was both just and rational: By this step, and others of the like nature, she entirely rooted out those ideas, and that umbrage the States had conceived at the greatness of the house of Orange, and shewed herself rather a granddaughter of King James I. than a sister of King James II.

His education was consistent with the manners of the country where he was educated; the methods prescribed him by those that had the honour of his tuition, were solid and severe; nothing gay or glittering was seen in his court, or the conversation of those persons who were entrusted with the management of his tender years: His mind adjusted itself to the admonitions of his tutors, and produced a temper serious and thoughtful, quite averse from the usual gallantries practised in the more refined and polite courts, as they stiled themselves, of Europe.

He was never a mighty scholar himself, nor did he much affect learning, or the charms of a witty conversation; such as were masters of those happy qualities were seldom employed by him, unless some of the first in the affairs of the church; and if ever he made use of persons so distinguished in his secular concerns, it was rather to please others than himself, and to acquire a reputation to his councils, more than for any pleasure he took in their harangues or conversation; and this may be truly said of him, without injustice to his memory, that he was a much greater king, but nothing so fine a gentleman as his uncle.¹

¹ Charles II.

Though he was no great friend to polite learning, yet he took care to acquire the French and English languages, which, afterwards, were of the highest importance to his management of several treaties of the last consequence to himself and his allies.

He never had many favourites, and it was well for England that he had no more than two: The first of these was Monsieur Bentinck, now Earl of Portland, who obtained his esteem and friendship by one of the most generous actions imaginable.

This young gentleman was page to the Prince of Orange, and much of the same age with his master. It happened, that the prince was taken ill of the small-pox, which not rising kindly upon him, his physicians judged it necessary that some young person should lie in the same bed with the prince, imagining, that the natural heat of another would drive out the disease, and expel it from the nobler parts: Nobody of quality could be found in all the court to make this experiment; at last, Monsieur Bentinck, though he had never had the small-pox, resolved to run the risque; he did so, the prince recovered, his page fell ill, and, in a little time, had the happiness to find himself in a healthy condition, and as well as his master. Ever after this action of Monsieur Bentinck's, which was truly great and noble, the prince had an entire affection for so faithful a servant, and particularly trusted him in affairs of the highest consequence. It was my Lord Portland that transacted the peace of Reswick, and the same nobleman managed the negotiations that were set on foot betwixt the then Prince of Orange and the English nobility, who had recourse to his highness before his accession to these realms. If the favours of the king had stopped here, and his faithful minister had received no other arguments of his master's esteem, than reasonable gifts and honours, perchance the character of the deceased monarch might have been something greater; but things were pushed too far, and, when the parliament put a stop to some concessions intended for my lord, it was a plain discovery of a weakness which had been better omitted.

Though his highness commanded the army of the States very young, when he was scarcely seventeen, an age when some noblemen are hardly exempt from the tuition of a pedant, yet he behaved himself with greater vigilance, prudence, and conduct, than could be reasonably expected of him at that time of day.

But though his conduct was surprising when he entered upon those high employments of stadtholder and general, yet he seems rather indebted to chance and the miseries of his country for those posts, than to any personal merits of his own, or the achievements of his ancestors.

The French had near over-run all Holland, their armies had possessed themselves of Utrecht, and most of the rest of the frontier-towns belonging to the States had submitted themselves to that invincible deluge, which their troops could not resist, nor their prudence or negotiations avoid. The faction of Barneveldt, well known by that name in the Low-Countries, were then at the helm, and the two brothers, the De Wits, were looked upon as chiefs of a party who opposed the grandeur of the house of Orange. One of these was pensionary, which is principal secretary of state, and was either, in reality, a traitor to his country, or esteemed as such by the boors and common people, whose misfortunes sowed their humours, and made them ripe for tumults and rebellions. Upon the constant series of their ill success, the populace arose, tore in pieces the two unhappy brothers, and wrested the government from the hands of those who were averse to the house of Orange. They continued their resentments, and obliged the States to restore his highness to all the ancient honours of his family. Yet, though this young gentleman was made general by a tumult, yet once possessed of that high command, he behaved himself not like a tumultuary general; he soon repulsed the French out of their new conquests, with a greater chain of success than ever afterwards attended his military actions.

Though severe and reserved in the cabinet, yet, in the camp, he was fiery to a fault, and often exposed himself, and the cause he defended, with a rashness, blameable in an officer of his dignity.

Yet one thing is very observable in his conduct; though he had the spirit and gallantry of a hero, yet he wanted the passion of love to make that character compleat; neither before, at the time of his marriage, or afterwards, was he ever noted for any extraordinary tenderness; nor could the beauty of his queen, nor the address of any other lady, raise in him extraordinary transports; his soul was free from these weaknesses, or he had the art to conceal them.

But notwithstanding his whole life was an instance of his prudence in affairs of this nature (one case only excepted) yet he never shewed so great a reservedness, nor, indeed, a greater piece of wisdom, than upon his marriage with the Lady Mary, eldest daughter of the late King James: She was a princess, who, for her beauty, good humour, sense, and piety, had no equal in Europe: Her zeal for the protestant religion was surprising in a lady of her youth, and what did not a little add to her shining qualities, was her being presumptive heiress to three kingdoms. The people of England were infinitely desirous this match should take effect; and King Charles persuaded the world he had the same inclinations, but privately insinuated to the prince, that his making a peace with France, and his inducing the Spaniards to do the same, upon such terms as his Britannick majesty proposed (which terms, in truth, were too favourable to the French) were the only means his highness had to obtain the lady. Here was love and glory in opposition to one another; but the prince, under these extraordinary circumstances, shewed an unchangeable temper, and a mind impregnable against the strongest assaults. He assured the crown of England, that, although he had the highest veneration for the Princess Mary, yet nothing could make him recede from the interest of the allies, and he should always prefer his honour to all other considerations whatsoever. Fortune was just to his virtue; he gained his point both ways, and obtained the best of princesses for himself, and those articles of peace he insisted upon for his confederates.

It seems a wonder, if King Charles was a Roman catholick, or, in reality, inclineable to that interest, he should permit the princesses to be educated in the protestant faith: Yet there seem so many arguments for this opinion, that I believe few persons stand in doubt of it; but, if so, it is plain he preferred the easiness of a crown to his future considerations.

If the prince was fond of any thing to a degree, it was of hunting, and the diversions of the field; he paid his servants well that took care of his pleasures this way, and gave them all reasonable encouragement. Perchance some of these might receive their superfluous pensions, when the army abroad wanted their necessary subsistence.

Some persons are of opinion, that the prince held predestination; that it was his judgment all balls were commissioned, and had their bounds set them, farther than which they were not able to go. It is true, at the fight of Seneff, and the battle of the Boyne, he fought with such a spirit, as generally possesses those who have firmly imbibed a belief of this nature; but, whether his judgment induced him to be of this opinion or not, he countenanced the thought, which he was satisfied made his soldiers regardless of danger, and contributed to their courage and resolution.

During his being at the helm of the Dutch government in Holland, he was sparing of his own money, but yet not tenacious to that degree, but he concluded several alliances with the protestant powers of Germany, for which he paid dear enough; and it is even said, that the holy father himself entered into an engagement with him against the King of France, that disturber of mankind. Certain it is, he knew how to spare, and how to lay out his money to a good advantage; and, if he could have commanded the purse of England, when he was once Prince of Orange, as he did af-

terwards; when he was King of England, in all probability, he had never permitted the growth of a power, which grew, in time, to be so formidable to all Europe.

It is no strange thing, that the pope opposed the King of France; interest cements the closest friendship; the head of the most holy church and St Peter's successor, as he stiles himself, joins with a prince of a different faith, in order to protect their common liberties: His most Christian majesty acts the same part, and confederates with his good friends the Musselmén. The one leagues with a protestant, the other with an infidel, each for their separate advantage; and, in this affair, the pope's dealings must be owned the juster of the two: His reason for the union was self-defence, and what obliged the King of France to his confederacy was no other than the dishonest motives of tyranny and ambition.

The Prince of Orange, landing in the west of England, marched from thence to Exeter, of which city he made himself master, and went forward with the success that we all know of. Yet his preparations for this descent were not carried so privately, but the Count de Vaux, ambassador from his most Christian majesty at the Hague, discovered the whole affair, and gave notice of it to his master, and to the envoy of King James the Second. The King of France immediately caused a memorial to be presented to the States of Holland on this subject, who very fairly denied the matter, and turned the blame of the whole affair on the Prince of Orange. The King of France was satisfied with this answer, and certainly the genius of that empire was then asleep, or so employed about the war going to be made against the house of Austria, that it could not be at leisure to respect the affairs of the Low-Countries. If the troops of his most Christian majesty had fell down into the Spanish Netherlands, instead of marching into Germany, the Dutch had been obliged to have kept that warlike prince at home, to defend their own territories; England might have justly despaired of a revolution, and Europe of its liberties: But Providence had ordered things otherwise; the court of France committed this unalterable blunder, and the great Lewis, upon this occasion, failed to exert that judgment which he so often convinced the world he was master of, both before and afterwards.

The battle of Mons was an action in which the Prince of Orange acquired a great deal of glory: He beat the Duke of Luxemburg, who lay encamped before that town, out of his entrenchments, and forced his army to a precipitate flight. This relation, without other circumstances, is indeed extremely honourable to the memory of that monarch; but, if it be also true, which tradition acquaints us with, concerning that battle, the prince deserved no laurels. It is most certain, that, a few hours before the fight, a peace was concluded betwixt his most Christian majesty and the States of Holland; but, whether the prince had any notice of this pacification, I cannot tell; but, if so, to fight with the articles of peace in his pocket, proves him vain-glorious and revengeful.

His enterprise upon England must be allowed very just: That step towards the Revolution, there are but few which cavil at; it is true, some persons would have been contented that he had proceeded but little farther, and only tied up the hands of his unfortunate predecessor. But these gentlemen argue very little like politicians; King James would have been King James still, and soon, by the violation of the people's liberties, returned to that course from whence the success of the prince's arms had obliged him to deviate; and admitting King James to have kept within the bounds of reason and moderation, yet still the protestant religion, and the liberties of all Europe, must have been betrayed to the ambition of France, by the bare neutrality of England, our island being the only balance to that incredible power which the French has lately assumed; so that King William's taking upon him the regency of this nation seems rather to have been an act of necessity than ambition. Happy is that prince,

who finds such an opportunity of mounting a throne, where fate, or providence, pushes upon him that grandeur, which it is the nature of all mankind to be desirous of.

The securing those lords, by the Prince of Orange, which were sent to him on the part of King James, when he fixed his victorious standards at Windsor, carried with it an air of ill nature and hardship, and looked like a violence upon the law of nations; but they were soon discharged, and were only secured from receiving injuries themselves, and injuring others by their ill timed errand.

The message which the son-in-law sent to his royal father, a little before the Blue Guards took their post before Whitehall,¹ was looked upon in these times, by such as had an inclination to their old master, as bitter, undutiful, and wicked; but, certainly, the prince never shewed his clemency, or indeed his tenderness, for King James more than upon that occasion. The prince was under an unavoidable necessity of entering London, the heart and capital of this realm, in order to bring those great designs to a conclusion, on account of which he had run so many hazards. The troops that he commanded, and would, in all likelihood, have took possession of Whitehall, were foreigners, of a different language and religion than King James, and such who might have offered violence to the person of that monarch, notwithstanding their orders to the contrary: But allowing that King William had detached for that service the Scotch and English, which bore his colours, still the hazards of King James would have been the greater; several of the officers, belonging to those regiments, had served in Ireland under King James, and had been broke of their commissions, purely for being protestants; others had voluntarily quitted England or Ireland, to find a liberty of their religion abroad, and which they conceived was in danger at home. In the number of these were Major-General Mackay, and several others: Another party were personally disgusted by the late King James; such were Lieutenant-General Talmash, my Lord Cutts, and many more of quality and distinction: To have commanded, therefore, these to guard their old master, against whom they had, or pretended to have, so many causes of dissatisfaction, would have been madness in any person, who intended or designed that monarch should live, till cut off by the course of nature; which was the visible design of King William, in respect to the late King James, as appears by this, and will be made yet further apparent by the subsequent observations. It is true, the honour of General Talmash and my Lord Cutts would have guarded the late king from violence and injuries to their power; but who could answer for the caprice and whimsies of the private sentinels? Or who can say to their humours, "Thus far shalt thou go, and no further?"

Thus, we frequently see the best of accounts misinterpreted; we turn the great or little end of the perspective suitable to our own inclination or fancy, and the fact bears no colour from itself, but from the false and prejudiced gloss we put upon it.

The church of England was as forward in soliciting King William to invade England as the dissenters; the reason of this was evident, because King James invaded the church, assumed a power to new-model the universities, silenced Dr Sharpe, then minister of St Giles in the Fields, set up an ecclesiastical court superior to that of Doctors Commons, and imprisoned the bishops in the Tower. Yet this very church of England, I mean some of the clergy, the representatives of the church, refused to take the oaths to King William, equally dissatisfied with their elective and hereditary king; they forgot the memorials delivered, on their behalf, to the Prince of Orange, their honour, and their misfortunes; but the reason of this uneasiness appeared most plainly; King William had not dishes enough to satisfy all the longings and expectations of

¹ The removal of King James's guards, who retreated with the utmost reluctance, and the placing Dutch guards round the person of James, was censured as a very harsh and disrespectful measure. It was preceded by a message commanding the king to retire from St James's to Ham.

his guests; he could not cut out the whole state into deaneries and bishopricks; and, indeed, King William, as politick a prince as he was, had not yet craft enough to humour the clergy, neither, perchance, at that time of day, did he think it his interest so to do, believing that, here in England, the tribe of Levi, and their doctrines, always depended on the government, as in Holland.

Sir Charles Sidley, in a speech made to the House of Commons, took the liberty to say, "That King William, though a prince in years, was but a young king;" insinuating, that monarch, though a very wise man, was not, by reason of the shortness of his reign, at that time acquainted with several systems of government, necessary to be known by English princes; and, sure, one of the mistakes of that reign appeared, in not managing the various factions of the clergy at first; which if the king had done with address, they had perfectly forgot the notions² of Sherlock, Sibthorp, or Manwaring.

The prince made a bridge of gold for King James; he was taken by his own subjects, and in a sort of confinement, brought back to London. That sun, which was dreaded in the west as bad as death itself, sets in a small town, the scorn and mockery of the rabble; but the unhappy king, however barbarous his subjects were to him, would have had no great cause of complaint, had his government been equal. The king of kings was despised by his friends and relations, and that monarch, like the suffering Jesus, met with ill usage from those creatures he had made.

Yet the permission allowed King James to retire where he would was a plain indication, that the prince had no manner of design of injuring his person, nor harboured any sentiments of revenge against a father, whom he conceived endeavoured, by ungentleman-like methods, to deprive him of a throne, and his right, by the birth and merits of his lady, a princess of inimitable piety and virtue.

It was an unaccountable mistake in policy, and an error ill agreeing with the prudence of King William, in not securing and bringing to justice those traitors, who, by their flagitious councils, had near ruined the church and state; I mean those who once disgraced the bench, and from that seat of justice, forgetting the duty they owed their God, their king, and their country, and as little mindful of their own honour and the publick liberty, gave their opinion, that the king might dispense with the penal laws and the test, those bulwarks of the English franchises: A just severity on these people, and a retrospection into their actions, would have given their successors sufficient warning to make them honest; and, though our modern judges have behaved themselves with all the worth and probity imaginable, yet their impartiality must not be esteemed the effects of any terror that was struck into them by a just punishment of their predecessors, but rather springing from their own internal goodness and virtue.

As those gentlemen, who were false to their country, might have easily felt the resentments of the convention, just before the prince's accession to these realms, so he had an extraordinary opportunity of doing himself and the nation justice, upon such infamous persons as betrayed both, without exposing himself in the quarrel: An Old Bailey jury would certainly have measured to them the same mercy as other supposed criminals had found from their bloody hands; for, by the way, most juries are for the strongest side, and few persons, as I ever heard or read of, when indicted for treason, had the good fortune to escape safe and sound from their fiery trial; and all this might have been done without reflection upon the prince, or calling his nature or mercy into question; if any odium had happened, it would have been charged upon the ferment of the nation.

A scrutiny of this nature, though it had let some ill persons blood, it might have been yet very necessary for the health of the republick; and I believe few persons would have been angry, if the blood of Russel, Sidney, and Cornish, had been sufficiently expiated.

¹ See his Speech in this Collection, vol. x. p. 331.

² Of passive obedience.

My Lord Chief Justice Herbert, who exercised that office in those times, perchance a man more innocent than some of his contemporaries, and not inferior to any of his successors in learning, foresaw such a storm a-coming, and very fairly got away into France, beyond the reach of it: But his prospect was erroneous, and he banished himself to no purpose; yet his flight plainly evinced what he thought would be the fate, or was the merit, of his associates; and whether the English would have pardoned him or not, it is plain, he did not pardon himself.

No wonder then our navy, our councils, and our army were betrayed; no wonder our ships wanted men, and our men victuals; nor is it surprising, that our army had no pay, whilst pay-masters, agents, and clothiers, sucked the blood of the subject, and hamstrung the sinews of war. All these misfortunes were owing to this piece of indulgence, and it may be justly affirmed, that he who neglects to punish one known traitor makes a hundred more.

Thus the Prince of Orange, through a thousand difficulties, mounted the imperial throne of England, Scotland, and Ireland, by a parliamentary title, rather than by any other: It is true, his lady was next in blood, supposing the pretended Prince of Wales illegitimate. But he never insisted upon that title, so much as upon the election of the people by their representatives convened in the most solemn manner: Yet such is the wickedness of mankind, and the baseness of their nature, that even when he had enjoyed these realms with the general consent of his people, and they had quietly enough submitted to the government they had made, yet the Pontifens must needs be giving him a new right, which forsooth was that of conquest. The Dutch at first were well enough pleased with the fancy, and the court itself shewed not much aversion to the ill grounded chimera: But the parliament soon took up the quarrel, and shewed the vanity of these pretensions, and gave the world to understand, that England never submitted but once (if it did so) in the reign of William the Conqueror. And thus I conclude my observations on the life of the Prince of Orange, now called to the throne of England, on the abdication of King James the Second. So that it remains to remark on the latter part of his life and reign, as was at first proposed. And,

Secondly, I have chosen to divide these political remarks on the life and actions of our late monarch into two divisions, because there seems to be a vast variety in the fortune of that prince, in these several periods of his life.

The first part of his life he struggled with all the difficulties of a crazy state, at a time when his youth and frequent indispositions gave those, who were really in the interest of their country, little hopes from him of bettering their melancholy circumstances; but he equally deceived the expectations of his friends and enemies, asserted the honour and happiness of his country, vindicated its liberties, raised himself and those provinces, which gave him birth, to a degree of grandeur, which neither the house of Orange, nor the united states of the Netherlands, had before that time been acquainted with.

The faction of Barneveldt, when this prince first took the helm of the Belgick provinces into his protection, had ingrossed all the chief employments of the state under the specious pretence of liberty; they had deluded the better and wealthier part of the commonwealth, to take part with them, and be at their devotion. The military commands were in their hands, the treasure and all things else in disorder at home, and the king of France's armies at their gates; yet from all these misfortunes the prince rescued the commonwealth, and by its miseries made himself the happier.

The second part of his life was yet more glorious; he obliged King James to do him justice, asserted his right to the imperial crowns of England, Scotland, and Ireland, conquered the last, restored the reformed religion to its former vigour in these kingdoms, and suppressed the enemies of himself and the nation he ruled over; he was triumphant at the Boyne and Athlone, gave peace to Scotland, and saw himself master, as far as agrees with our constitution, of a bold and daring people.

But the remainder of his life was nothing so glorious to the state, or fortunate to himself; he lost the memorable battles of Steinkirk and Landen, and though he took Namur, after an obstinate defence, made by the besieged, yet he threw away more reputation by that patched-up peace at Reswick, than he gained honour by the acquisition of that important fortress.

King William, upon his taking upon him the government of these realms, found England inclinable to his wishes; some few indeed of the clergy and laity forgot their recent obligations to him, and the late danger of their country, but he soon reconciled their jarring spirits to his government, or made them incapable of injuring him.

Thus far his administration sailed with a successful wind, but his affairs in Scotland soon took another face; the scene was changed there; a few of the noblemen indeed adhered to his interest; the rest in general were dissatisfied; and the worst of it was, that the episcopal clergy, for the most part, struck in with the interest of the late King James. This obliged the kirk of Scotland, which now, by the concessions of King William, might be called the church of Scotland, to stand upon their guard; and indeed, fairly speaking, they used the non-conformists to the new model of religious worship a little hardly: From hence sprung the rebellion of my Lord Dundee, and of several of the Highland clans, many of whom followed his lordship's fortune for affection or plunder, and some, very few, on the score of religion.

It is most certain, that my Lord Dundee did not originally design to break with King William; he had served under his late majesty in Flanders, was a protestant, and it is generally believed had no great inclination to King James; but he was forced upon what he did, by the haughty carriage of a fine gentleman and a very good officer,¹ who afterwards lost his life in the quarrel, and who, by his own death, and the disservice he did the government, may teach us, that, if it be dangerous to drive a coward, it is much more so to push a brave man on extremities.

Yet, however cloudy this affair was at the beginning, it ended fortunately enough for King William: My Lord Dundee was killed at the battle of Killcranky, at a time when victory sat upon his helmet, who, had he lived, might have pushed our late monarch as far as the same shores on which he landed.

But heaven had decreed it otherwise; that lord received a shot under his arm, or, as some will have it, a thrust by a halbert through his armour,² convincing us, that there is no defence against fate, and that Providence regarded more our happiness than the council of Scotland.

Soon after the decease of this gentleman, the Laird of Glencow, with several of his followers and dependants, were put to the sword in their beds, after they had embraced a pardon, which the government condescended to offer. If King William was acquainted thoroughly with the matter, and they suffered after their submission by his express order, it was an action contrary to all justice, below the majesty of a king, and beneath the character of his courage, which he had acquired, at the peril of his life, in several bloody rencounters.

By viewing this king at the battle of Seneff, at the battle of the Boyne, and the fight

¹ Mr Cleeland, Lieutenant Colonel to my Lord Angus. This gentleman was a Cameronian, and distinguished himself by writing some poems with more spirit than elegance. He was afterwards killed, not at Killcrankie, as is erroneously stated by the former editor of Somers, but at a subsequent skirmish fought at Dunkeld, where the Cameronian regiment of which Cleeland was lieutenant-colonel defended the church-yard against a superior force of Highlanders. It is to be wished the author of the Tract had given some particulars of his conduct towards Dundee. But it cannot be doubted that that general was urged to take up arms for King James, as much by his principles of supposed loyalty, as by any fear he might entertain of harsh usage from Cleeland, or any other who might have resisted his proceedings during the reigns of the two last Stuarts.

² This is a mistake; he was killed by almost the last shot which was fired. It is a popular belief among the Cameronians, whom he persecuted, that the gun was loaded with a silver bullet; the dreaded Claverhouse being secured by a spell against leaden balls.

of Landen, a man would not easily conjecture, that his soul could entertain thoughts of so infamous a nature; but what startles our imagination, and makes us doubtful in this argument is, the authority produced by those who committed these homicides in their own vindication; but what arguments induced the grant of these powers is uncertain; heaven pardon the authors of so bloody an enterprise!

The siege of Londonderry gave a greater turn to King William's affairs than could be expected, and plainly demonstrates to the unthinking part of mankind, that there is no such thing as certainty in human affairs. King James sent thither the Duke of Berwick, several French generals, and the best of his militia, rather to obtain glory and plunder, according to their several capacities, than to hazard themselves and his army, before a town he conceived naked and defenceless; but what was his success? All his fine troops were ruined or killed, that city and Iniskilling changed the complexion of his conquests, and he never succeeded in one single attempt he made afterwards.

Had this town surrendered to the catholick forces, the late King James had entirely made himself master of Ireland, and been at leisure to have poured in a numerous army upon Scotland; which he might easily have done, the passage from one kingdom to another being not above four hours sail; and what would have been the consequence it is not hard to judge, when my Lord Dundee was in arms at the same time, and had, if he had lived, over-run all Scotland, and endangered the loss of England into the bargain.

What rewards then were suitable to the merit of those gentlemen, who stopped a deluge, which might have proved fatal to these kingdoms, more than at first blush can be imagined? But, let their deserts be what they will, they starved, as my Lord Haversham expresses himself, with testimonials of their service in their pockets.

The battle of Bantrey Bay, in which the late Sir Cloudesly Shovel exerted a most remarkable courage, taught King William, as wise a prince as he was, a secret which he was a stranger to, and that was, that the French were no despicable enemies by sea; and, if he was not thoroughly convinced of this truth, in a little time afterwards he knew it by a dear experience.

All that were witnesses to Cloudesly's conduct and bravery, upon the occasion I have just mentioned, thought it a piece of extraordinary merit; but our monarch was obliged to him in a higher degree soon after; for that admiral, in the sight of King James, and in the presence of his guards, who were drawn up to their relief, burnt or took a man of war in Dublin bay, and two or three other ships. The extraordinary merit of the service lay here; a great many officers of the fleet, at the same time, were not sufficiently hearty to the government, and this action was a precedent to the rest, and quite dispirited several persons who were in the interest of the abdicated king.

The king had a great opinion of Duke Schomberg, and indeed that gentleman deserved it; but I am fully persuaded that there was an English officer^{*} in his dominions, every jot as fit for the high command of captain-general, and time has abundantly declared it.

The camp of Dundalk was fatal to the English; we lost a great many brave men there, amongst whom were Colonel Wharton, Colonel Deering, and several other persons of quality; and it is thought, that, if his grace the Duke of Schomberg had fought the Irish with all their boasted odds, he would hardly, though beaten, been a greater loser.

But whether King William approved the Duke of Schomberg's managing the army or not, it is plain, he acted contrary to his grace; for no sooner could he reach the

^{*} Marlborough.

Boyne with his troops, but he gave the enemy battle, humouring, or approving of the inclinations of the English, whose custom it has been always to engage at sight, without counting numbers.

What made the king so fiery at the Boyne is uncertain; some attribute it to the rashness of his temper; others, with more justice, believe the precipitation, he then shewed, was occasioned by the ill news he had received from England, that my Lord Torrington had engaged the French fleet off Beachy-head, and was worsted in the combat; he lost the *Anne*, commanded by Captain Tyrrel, and the Dutch suffered extremely in the engagement; see here the vanity of the English, and the industry of our enemies. We proudly imagined, that a single squadron of ours was a superior match for all the naval power of France, and now we find that our united fleets give way to the admirals of France.

My Lord Torrington's conduct was mightily blamed, with what reason I shall not determine; at the instance of the Dutch captains he was tried at a court-martial, and acquitted immediately; thereupon he laid down his commission, and it is yet uncertain, whether we did not sacrifice a brave man, who deserved a better fate, to the ferment of the people, and the fury of their resentments; and it is equally strange, that in such publick actions, where so many thousands were witnesses of the fact, the commonwealth should not be capable of knowing whether an officer did his duty, or omitted it.

Had the French staid much longer on our coasts, it is reported King William designed to have commanded his fleet himself, and to have given them battle; but, as the world is malicious, so this monarch found this design of his ridiculed by some pretended politicians, who imagined that the command of an army at land is very different from the management of a fleet at sea; never considering that the Dutch had an Opdam, and the English a Monk and an Ossory, who, though they were no marine officers, yet behaved themselves with as much honour, prudence, and courage, as any who ever ploughed the surface of the ocean.

The reduction of Ireland, some two or three towns excepted, was the consequence of the battle of the Boyne, and King James himself took shipping at Waterford, deserting now this realm, as he had lately done that of England some time before; and indeed, by so precipitate a flight, he made himself unworthy of any other fate than that which he sustained.

King William found himself repulsed at the first siege of Limerick, more by the inclemency of the air, and the badness of the season, than by the valour of the garrison, though the town was commanded by three officers of great experience, and sheltered the remains of the whole Irish army: But there's no fighting against the elements; they were appointed and commanded by a greater king than William the Third; and Canutus, the Danish monarch, might have instructed our royal general in the truth of this maxim, if the latter had given himself the trouble of consulting the English history.

The king quitted Ireland the latter end of this campaign, and left Monsieur Ginkle, afterwards Earl of Athlone, to reduce that part of the kingdom which continued in the interest of King James. It is true that lord, by the instances of the English commanders, and by the valour of their troops, ventured to fight, and won the battle of Aghrim, and obliged all the enemies of his master to submit themselves to his obedience; yet it is the opinion of our officers, if a general of our own nation had commanded our troops, the matter would as soon have been effected.

Thus far King William had all the success he could in reason desire; but fortune was not always indulgent to his wishes, and the rest of her conduct towards that monarch shewed, that kings as well as peasants are often mortified by her caprices.

The battle of Steinkirk was glorious to the English, though they smarted severely

by the numbers, and continual fire of the French. My Lord Cutts was wounded in the action, the Generals Lanier and Mackay killed, and troops of our bravest officers attended them to the regions of futurity.

The English were exasperated at the cowardice or ill nature of some Dutch officers, who refused to sustain our battalions, and seemed to make a jest of their ruin. Our soldiers took all opportunities of quarrelling with the officers and soldiers belonging to the States; and the umbrage we had received from the misfortunes of that skirmish, had like to have been of the worst consequence to both nations.

But the prudence of King William, or, to speak plainly, the influence he had over the superior officers, allayed the ferment our soldiers were in, which, perchance, had he not been King of England, and Stadtholder of the United Provinces, he had never effected.

But vengeance seldom sleeps, and, if Count Soames, by his omitting to succour the English, occasioned the death of several brave men, he himself died soon after, being struck with a cannon ball; and that general, in the hour of his death, so far forgot his honour, as to call to the soldiers to shoot him, in order to be freed from the violent pains he was tormented with.

If our loss at Steinkirk was considerable, it was much more so at Landen; several reasons were given out to cover the shame of our defeat, but nothing could be alleged to vindicate our disgrace, or extenuate the glory of the French.

The intelligence which the Duke of Bavaria's secretary held with the French, was generally assigned to be the cause of the loss of this battle; whether the correspondence he managed was by the order of his master is uncertain; but the servant was hanged very fairly, and tried afterwards.

The Elector of Bavaria is reckoned a superstitious prince, brave enough, and very much devoted to his religion; but the execution of this gentleman in so odd a manner, without any examination, trial, or conviction, convinces us of the late elector's policy, but gave us no great proofs of his piety.

Our horse, excepting two or three regiments, behaved themselves but indifferently, and they declared openly, that they fought as they were paid; but our foot did good service, if not to the English nation, yet to the rest of the confederates; for they stood very firmly, and maintained their ground with all the courage imaginable, and by this means gave the allies an opportunity of running away.

General Talmash and Sir Henry Bellasis continued last upon the field of battle; and one of these had won immortal reputation, if the memory of Vigo and Port St Mary's did not cancel the glory he acquired in Flanders.

But he survives, and Talmash lies as low as envy or jealousy could desire him; though it is impossible to imagine he was sacrificed to the resentment of a court party, yet it is easy to believe some in the ministry heartily wished his ruin.

He was too brave and too publick a spirited man, either to let himself, the parliament, or nation be imposed on; he loved a soldier, and, as he was the readiest to lead his men to battle, so he took the greatest care to see them rewarded after the combat. His principles of honour and his sense were too good to be bribed or amused, and his personal courage and integrity too great to be forced or threatened into an unworthy silence.

Such qualifications as these were, without dispute, made him obnoxious to such as hated the interest of England; and, at last, they prevailed so far, as to have him employed in an attempt, where he must of necessity lose his honour or his life.

But these were not the only losses that afflicted King William; he had the misfortune to see his queen fall ill of the small-pox, and a few days robbed the English of a princess, a better than whom never mounted a throne, or gave laws to a willing people.

She died as unconcerned as his majesty her husband fought, and braved the King of Terrors with as great a resolution on her bed of sickness, as he did in the field of battle; and certainly that lady's piety or courage was the greater, since, as she said herself to my Lord Archbishop of Canterbury, she was always prepared to die, and her royal spouse very often took the sacrament before a battle.

King William, as it is reported, was very much concerned at her death; and, if he had expressed a more visible sorrow, the nation would have resented it still more kindly,¹ who sincerely mourned the loss of that princess, and still do upon her memory.

But, though the loss of so good a princess afflicted King William very much, yet the peace of Reswick mortified him much more; he was obliged at last, by the murmuring temper of his subjects, to acquiesce in terms very dishonourable to Europe, and not over-glorious to his majesty. By this treaty of pacification, the French were to retain Luxemburg and Strasburgh, those bulwarks of Flanders and the empire, who, instead of them, were only to have an equivalent, which, in fact, was far from the intrinsic value of those provinces; but, notwithstanding the inequality of these and other articles, the conduct of the Duke of Savoy, and the neutrality in Italy, powerfully persuaded the allies to put an end to the war.

Soon after the peace, the Partition-Treaty followed, and, by too much precaution, the government involved the nation in a dreadful war, which, to their best thinking, they endeavoured to avoid. The Spaniards, who are a haughty people, so much resented the intended division of their monarchy, that their grandees made a will, or influenced their monarch so to do, by which he devised all his dominions in Italy, Spain, and the West Indies, to the house of Bourbon, in the person of the Duke of Anjou, who, notwithstanding the most dreadful imprecations of his grandfather to the contrary, took possession of those states and provinces, by the assistance of that monarch, who, to prefer his family, despised all sanctions, both divine and human.

It is frequently observable in politicks, that men often lose the substance, by an acquisition after the shadow; old *Æsop* told us this a great many years ago, and we see it every day's experience, that, greedily desiring the whole, we even lose that part of which we might have securely possessed ourselves. But it fell out quite otherwise, in relation to this Partition-Treaty; for the house of Austria, not being contented with a part of the Spanish provinces, lost them the whole, and the balance of Europe was turned to the part of France, which they thought would have been at the discretion of the confederates.

When the peace of Reswick was brought to a conclusion, the Parliament of England thought it high time to disband some of their national regiments, and all the foreigners in their service. Amongst these last were the Dutch blue guards, and my Lord Portland's regiment of Dutch horse, who attended his majesty in all his expeditions, long before and after his accession to the throne of England. His majesty was much dissatisfied at the proceedings, and made all the interest he possibly could in the house, to disannul the injunctions of his supreme council, but all to no effect; he used entreaties to the parliament, but to no purpose, and upon this occasion, behaved himself much different from the haughty character he had all along maintained.

He laid the scheme of the present war we are engaged in against France and Spain, and made all the provision the grandeur of such a design required. After the unfortunate accident of breaking his collar-bone, he fell into a fever, which quickly put an end to his reign and glory.

During his sickness, he behaved himself with that greatness of soul, which he had often shewed in the field, and died with the same bravery as he had expressed in the heat of action.

¹ *Sic in orig.*

The Proceedings of the Right Honourable the Lords Spiritual and Temporal, in Parliament assembled, upon the Observations of the Commissioners for taking, examining, and stating the Public Accounts of the Kingdom, delivered into the House of Peers.

The first occupation of the parliament, after King William's death, was to commence an investigation into the public accounts. A commission for this purpose had been granted in the preceding reign, but had proved ineffectual for the detection and punishment of the public delinquents. When the new parliament of 1702 met, the queen, in her speech, requested the Commons to inspect the accounts of public receipts and payment. But though great discoveries were talked of, and severe measures threatened, the commissioners appointed by the Commons charged the Earl of Ranelagh, paymaster-general, with flagrant mismanagement, and though he defended himself with great force, he was expelled the house, and compelled to resign his office.

Of the subsequent jars between the two houses of parliament, Smollett gives the following account: "A long address was prepared and presented to the queen, attributing the national debt to mismanagement of the funds; complaining that the old methods of the Exchequer had been neglected, and that iniquitous frauds had been committed by the commissioners of the prizes. Previous to this remonstrance, the house, in consequence of the report of the committee, had passed several severe resolutions, particularly against Charles Lord Halifax, auditor of the receipt of the Exchequer, as having neglected his duty, and been guilty of a breach of trust. For these reasons they actually besought the queen, in an address, that she would give directions to the attorney-general to prosecute him for the said offences; and she promised to comply with their request. On the other hand, the lords appointed a committee to examine all the observations which the commissioners of accounts had offered to both houses. They ascribed the national debt to deficiencies in the funds; they acquitted Lord Halifax, the lords of the treasury, and their officers, whom the Commons had accused, and represented these circumstances in an address to the queen, which was afterwards printed with the vouchers to every particular. This difference blew up a fierce flame of discord between the two houses, which manifested their mutual animosity in speeches, votes, resolutions, and conferences. The Commons affirmed, that no cognizance the Lords could take of the public accounts would enable them to supply any deficiency, or appropriate any surplusage of the public money; that they could neither acquit nor condemn any person whatsoever, upon any enquiry arising originally in their own house; and that their attempt to acquit Charles Lord Halifax was unparliamentary. The lords insisted upon their right to take cognizance originally of all public accounts: They affirmed, that in their resolutions, with respect to Lord Halifax, they had proceeded according to the rules of justice. They owned, however, that their resolutions did not amount to any judgment or acquittal, but that, finding a vote of the Commons reflected upon a member of their house, they thought fit to give their opinion in their legislative capacity. The queen interposed by a message to the Lords, desiring they would dispatch the business in which they were engaged. The dispute continued even after this intimation; one conference was held after another, till at length both sides despaired of an accommodation.

"The Lords ordered their proceedings to be printed, and the Commons followed the example."—SMOLLETT'S *History of England*, vol. i. page 481.

Die Veneris 15^o Januarii, 1702.

THIS day, Mr King, secretary to the commissioners appointed by a late act of parliament, to take, examine, and state the public accounts of the kingdom, delivered at

the bar an account of the general state of the receipts and issues of the public revenue between the feast of St Michael 1700, and the feast of St Michael 1701. And also the feast of St Michael 1701, and the feast of St Michael 1702. With their observations thereupon.

Die Martiis 26^o Januarii, 1702.

The house being moved, That a day be appointed for taking into consideration the book of public accounts, now before this house, it is ordered by the lords spiritual and temporal in parliament assembled, That the said book of accounts shall be taken into consideration on Tuesday next at eleven o'clock.

Die Lunæ 10 Februarii, 1702.

It is ordered by the lords spiritual and temporal in parliament assembled, That the commissioners of accounts do lay before this house to-morrow at eleven o'clock, what further observations they have made in relation to the accounts, since the delivery of the general state of receipts and issues of the public revenue into this house.

Die Martis 20 Februarii, 1702.

The order being read for taking into consideration the book of accounts, it is thereupon ordered by the lords spiritual and temporal in parliament assembled, That the queen's remembrancer do immediately bring to this house the imprest rolls transmitted to him since November, 1699.

Then the title of the book of accounts was read, and the commissioners observations.

After which it was proposed to read the observations upon the accounts paragraph by paragraph.

And the first paragraph being read,

The Lord Halifax was heard thereto.

Then the house being informed, That Mr Gregory King attended at the door from the commissioners of accounts,

He was called in, and at the bar delivered the commissioners of accounts further observations.

Then the queen's remembrancer attending, was called in, and delivered the imprest rolls transmitted to him since 1699, as ordered.

The house being moved to appoint a committee to consider of the observations delivered to this house from the commissioners of accounts, it was agreed to as followeth: And

Lords committees were appointed to consider of the observations in the book of accounts delivered into this house the 15th day of January last, and this day. Whose lordships having considered thereof, and heard such persons concerning the same, as they shall think fit, are afterwards to report their opinion thereupon to this house. Whose lordships, or any five of them, are to meet to-morrow at ten o'clock in the forenoon, in the prince's lodgings, near the House of Peers, and to adjourn as they please.

It is ordered by the lords spiritual and temporal in parliament assembled, That the queen's remembrancer do bring to the lords committees appointed to consider of the observations delivered by the commissioners of accounts, to-morrow at ten o'clock, the imprest rolls transmitted to him since the twentieth of April 1697, being the time from which the act commenced.

It is ordered by the lords spiritual and temporal in parliament assembled, That the commissioners for public accounts have notice, that this house hath appointed a committee to consider of the observations delivered into this house by them, to-morrow at ten o'clock in the forenoon, in the prince's lodgings near the House of Peers.

Die Mercurii 30 Februarii, 1702.

This day Mr Barker, deputy to her majesty's remembrancer, brought the other imprest rolls, as ordered yesterday, which were delivered to the committee.

His Grace the Duke of Somerset reported, That the lords committees appointed to consider of the observations from the commissioners of accounts, that they have taken the first observation into consideration, in relation to the auditor of the exchequer; and that the commissioners of accounts had notice of the committee's sitting, yet none of them attended; and therefore the committee is of opinion, that a message be sent to the House of Commons, that they may have leave to attend: To which the house agreed.

Then,

A message was sent to the House of Commons by Sir John Franklyn and Sir Richard Holford, to acquaint them, That this house hath appointed a committee to consider of the observations in the book of accounts, laid before this house by the commissioners of accounts the fifteenth of January last, and also those delivered yesterday from the said commissioners: That the committee met yesterday in the morning, and had proceeded upon the first observation, and the additional observation, relating to the auditor of the receipt of the Exchequer; and those commissioners being members of the House of Commons, the Lords do desire that the house would give leave, that those commissioners, or some of them, should attend the said committee, on Friday next, at ten o'clock in the forenoon.

Die Jovis 4^o Februarii, 1702.

The messengers sent to the House of Commons yesterday return answer, that the Commons will send an answer by messengers of their own.

Die Veneris 5^o Februarii, 1702.

His Grace the Duke of Somerset reported from the lords committees appointed to consider of the observations delivered into this house from the commissioners of accounts, That the said commissioners had not attended the committee, but upon consideration of the whole matter, the committee had ordered him to report as followeth:

The committee appointed to consider of the observations in the Book of Accounts, delivered into this house the 15th day of January last, and the second of this instant February, have made some progress in considering the said observations, and do humbly take leave to acquaint the house, that they have examined into the first of those observations, and also the farther observation delivered into this house the second instant, relating to the transmitting the ordinary imprest rolls to the queen's remembrancer: They have inspected several of the original imprest rolls delivered into the house by Mr Barker, deputy to her majesty's remembrancer: They also examined divers officers of the Exchequer, and others, upon oath; and do find, that by the ancient and uninterrupted course of the Exchequer, two imprest rolls are to be made out for each year; the one comprehending all sums imprest from the end of Trinity term to the end of Hilary term; the other containing all such sums from that time to the end of Trinity term; which rolls are commonly called half-yearly rolls, though improperly: They find that by the ancient course of the Exchequer, these imprest rolls, being made out by the auditor of the receipt, are to be delivered by him to the clerk of the pells,

whose duty it is to examine and sign them; and this being done, the clerk of the pells delivers them to the remembrancer.

This usage was by degrees discontinued in the reign of King Charles the Second; and the remembrancer or his agent used to come to the office of the auditor of the receipt, and take away the imprest rolls from thence immediately: But in the time when the Earl of Rochester was treasurer, the ancient usage was restored, and he did order that the imprest rolls should be carefully examined and signed by the clerk of the pells, before they should be transmitted to the remembrancer, and accordingly since that time, the ancient custom has been observed, as well before as since the act of parliament made in the eighth and ninth year of his late majesty, for the better observation of the course anciently used in the receipt of the Exchequer: (That is to say) the said half-yearly rolls, when made out and signed by the auditor, have been by him transmitted to the clerk of the pells, and when the clerk of the pells has examined and signed them, he or his deputy has delivered them to the remembrancer, and this appears by the remembrancer's endorsement upon the rolls. The committee finds that Charles Lord Halifax has been auditor of the receipt from the end of November, 1699. Since which time six imprest rolls have been transmitted to the remembrancer, and there is a seventh roll now under examination of the office of the pells, and no other roll can be prepared till after the twelfth of this instant February.

Upon the whole matter the committee are humbly of opinion, that Charles Lord Halifax, auditor of the receipt of the Exchequer, hath performed the duty of his office, in transmitting the ordinary imprest rolls to the queen's remembrancer, according to the ancient custom of the Exchequer, and the direction of the act VIII. and IX. Gulielmi III. Regis, entitled, An Act for the better Observation of the Course anciently used in the Receipt of the Exchequer; and that he hath not been guilty of any neglect or breach of trust upon that account.

Which report being read, as also the examinations taken upon oath by the committee, as also the dates and endorsements of the several imprest rolls, delivered by Mr Barker, deputy to the queen's remembrancer, it was proposed to agree with the opinion of the committee in this report.

Then the question was put, Whether this house will agree to the opinion of the committee in this report?

It was resolved in the affirmative.

It is resolved and declared by the lords spiritual and temporal in parliament assembled, that Charles Lord Halifax, auditor of the receipt of the Exchequer, hath performed the duty of his office, in transmitting the ordinary imprest rolls to the queen's remembrancer, according to the ancient custom of the Exchequer, and the direction of the act VIII. and IX. Gulielmi III. Regis, entitled, An Act for the better Observation of the Course anciently used in the Receipt of the Exchequer, and that he hath not been guilty of any neglect or breach of trust upon that account.

The Representative of London and Westminster in Parliament, examined and considered ; wherein appears the Antiquity of most of the Boroughs in England ; with the Proportions, whereby every County is over or under represented, according to a Scale from the Royal Aid Assessments ; by which it appears that Middlesex is found to be represented but one Tenth Part of its due Proportion ; unto which a Remedy is proposed, and several Reasons offered to prove the same, of universal Benefit to the Kingdom.

By a Gentleman, 1702.

This author, like many others who have treated upon the same subject, has forgotten that the representation of a free country, in its states or legislative body, in some degree resembles the laws by which the universe is governed ; which, although apparently attended with great inequalities when partially regarded, produce upon the whole a well-proportioned general result. His plan of throwing such a proportion of the elective power into the hands of the freeholders of London and Middlesex, would only give the capital an undue and most dangerous direct influence in parliament, where even its indirect influence has often been found prejudicial to calm and temperate discussion.

FROM what principles in the law of nature, whether of right judgment in things, or merely those of self-preservation, or if from some dictates of rational society, or if solely from unsearchable ways of Providence divine, it may proceed, is not the intention of these to enquire ; but so it is, that if one take a view of ages past, and will adventure to judge the opinion of men by their actions, it seems to have been in all times the common concurring judgment of mankind, that the benefits of climate (a benign air, a fruitful soil, sweet water, and the like) do very much fall short of those which a propitious government affords.

For no charms have been able to quell the disquiets which violence and oppression produce : Though other inconveniences (however great) are reconciled and overlooked by the innate love of our native soil, yet upon the alarms of imposing tyranny, we may observe all nations to dwindle and decay, multitudes flying that evil as a plague, above all others intolerable : For evidence whereof, let any man recollect the effects which ancient Egypt, Greece, and Italy betrayed under such catastrophes ; let Peru tell the fall of the Yncas and its consequents ; tell Ferrara how the domineering tiara has made you prosper ; let Naples relate what the Anjouvine and Castilian visitations caused her ; speak Florence, Pisa, and the Vale of Arno, if your numbers and riches increased with the yoke of Medicis : But lest these instances be too remote for time or place, we'll take a view of some nearer, for more indubitable proof of the point.

O happy England, highly favoured of Heaven, which can yield no considerable instance of this kind in her records ! May no lupine ferocity ever taint her constitution, that she may remain inviolate as many ages as the Chronicles of China boast theirs. Oppression, it seems, is a foreign plant, which though she will not thrive in our bad air, is no stranger elsewhere in Europe ; so that when we pass the seas, we need not the Alps

any more. Flanders, Brabant, and Artois, when they fell from the house of Burgundy into that of Austria, how populous, how rich, how flourishing in trade, Phillip de Commines abundantly declares; very different from, and far excelling, the condition of Zealand, Holland, and West-Friesland, their neighbour provinces. But now let the experiment be tried, if liberty with an inclement incommodious site can countervail the loss of a most delightful, fruitful native country, under the aspects and influence of tyranny: In the latter then some of the haughtiest nobility must lay down their heads on a block, for being advocates of the ancient rights of their country; one city beholds within herself a citadel rearing her bastions (soon garnished with artillery); others have *quo warrantos* pass against their municipal rights, and when murmurs or oppositions rise, all is construed riot and rebellion, and then the wealthy citizens are fined, imprisoned, and confiscated: In consequence of these things, some imposts and gabels are imposed without the regular orders of the estates, and an army from Italy of foreigners take up free quarter in the towns: We need no more, one age will discover the effects; the people insensibly file northwards, where they intrench themselves in the mud; the ocean is debarred her wandering, the hollow land made firm, and lakes drained; the loose sand becomes a stable foundation for great *emporiums*; the ancient cities of Flanders, Brabant, and Artois unhive themselves into the new ones of Holland, Zealand, and West-Friesland; and, in a word, the younger colonies (notwithstanding the disadvantages of nature) yielding an asylum to liberty, shall equal and far exceed what the former ever were. Thus we see a republick formed, which in one century has become more puissant than the Roman amounted to in three.

Having been more explicit in the case of Flanders, I pass by the latter one of Denmark, so candidly and curiously exemplified by an excellent hand: In the days we live, France itself is a pregnant instance too, for the swarming catholicks, as well as Huguenots, of that nation, in all the countries of Europe, are so many speaking witnesses of the inward decay of that realm, since the parliament of Paris (the shadow of the ancient States-general of that kingdom) yielded up the ghost. In Germany the imperial free cities, are more populous, rich, and their territories better cultivated than commonly those of princes: So likewise the most inhospitable mountains of Switzerland are better replenished with inhabitants than the luxurious plains of Lombardy; all which is ascribable only to the ease of a mild and impartial government. From which historical evidences therefore, and because many more of like kind may be produced, I draw this conclusion, That gross air does not more naturally depress mercury in a tube, than the gravity of malevolent councils does the genius, wealth, and number of any people.

Now, since such effects are universally and conformably in all ages and countries, proceeding of such causes, it cannot be unfit to ascribe the same to the over-ruling wisdom, justice, and goodness of the universal Monarch of mankind, who, according to the 107th Psalm, has reserved this honour and prerogative, wherewith to chastise the insolence of his viceroys on earth, as well as the dissoluteness of their subjects: Thus "He turneth a fruitful land into barrenness, for the wickedness of them that dwell therein; and upon their repentance, the wilderness again into a standing water, and dry ground into water springs: And there he maketh the hungry to dwell, that they may prepare a city for habitation, sow fields, and plant vineyards, which may yield them fruits of increase:" On the other hand, abusing his mercy, they are again brought low through oppression, affliction and sorrow; then, "He poureth contempt upon princes, and causeth them to wander in a desert, where there is no way:" At the same time, "He setteth the poor on high from affliction, and maketh him families like a flock: The righteous shall see it and rejoice, and all iniquity shall stop her mouth. Whoso is wise, and will observe these things, even they shall understand the loving kindness of the Lord." Now sure, above all nations, the people of England have reason to join

the chorus of this psalm, "O that men would praise the Lord for his goodness, and for his wonderful works to the children of men."

By a mild and propitious government (the blessing so much esteemed,) I mean such a one, whether monarchical or otherwise, as pursues for its end the security, ease, and welfare of its people; the reverse of which is, when those considerations are put in the second instance, and made but subsequent to some other. If I mistake not, magistrates are originally appointed ministers of God for good to the people, for which cause tribute is paid; not that the people are given as a prey to the said ministers. Now, in order to have the aforesaid ultimate end of government duly consulted, I suppose it indispensably needful that the people have some representative, which may not only report their grievances, but be sufficiently impowered to obtain redress of them: Which supposition, I own, does conclude, that absolute monarchy can be no more than accidentally and precariously propitious, but has in it no conclusion at all against monarchies of the Gothick frame.

Upon dissolution of the Roman empire in the west, the several nations that shared it among them agreed all in one scheme of government, which though it admitted of variety in other matters, yet every where did establish a representative of the people, that had power to redress all grievances in the administration, which partook with the prince in the legislature, and without whose consent he could levy no taxes on the subject. Herein then was abundant provision for a mild and equal regimen of affairs, wherein near upon all the countries in Europe were many ages happy; but in the century newly expired, a dismal cloud did overspread the most of them, which hitherto has not reached our fortunate island; but England yet enjoys what they once possessed. Without a sufficient representative of the people, there can be no adequate caution or warranty for their liberties: But England having preserved uncorruptedly the former, as the sole palladium, she continues to enjoy the kindly fruits and natural effects of it; so that, I hope, the testimony of Philip de Commines will ever remain verified in us: Of all the seigneuries of the world (says he) the realm of England is the best governed commonwealth, where the people are least oppressed, and the authors of broils, or disturbers of peace, the most punished.

The constitution of England, often battered, often undermined, often betrayed, has not subsisted so long but by the miraculous power of God several times, for his own most wise and good ends, interposing between her and ruin; unto one eminent instance of which, the eyes of all men living may bear testimony, if their memories do not wickedly fail them: And as his gracious majesty has fully answered the promise of his declaration, to do all things necessary on his part, that our nation may be in no more danger of falling at any time hereafter under arbitrary power, so will the prudence of our senate shine bright, in all ages to come, in making so many provisions to keep the fountain of all our joys, the kingdom's representative in parliament, pure and uncorrupt. Such are the following clauses or express acts in this reign, that no speeches in parliament shall be questionable elsewhere, no recommendation of members for the Cinque Ports shall be made as usual, penalties declared on excise-officers intermeddling with elections, the like for false and double returns, assignment of time and place for county elections, no members to be concerned in any monies granted by parliament, no officers of excise or customs to sit in the house, a parliament to be new chose once in three years, no expences to be after-date of the writs for electing, no person under the age of one-and-twenty be capable of sitting, abridging the privileges of parliament in case of debt or process; and when the new line commences, no one having office or pension from the crown shall be capable to serve, no pardon under the great seal shall be pleadable to an impeachment of the Commons. Over and above these momentous provisions, there was a bill last session in agitation, for better maintaining the dignity of parliaments, which provided, That in such boroughs as have fewer than

five-score votes of electors, the freeholders of the hundred shall be allowed to vote. For what reasons the said bill was dropt, the author knows not, but that gave first the life and motion to these thoughts of his.

The representative of England consists then of two houses, which jointly make one parliament; for the lords, called to it by summons or patent of nobility, are reputed trustees for the community, and guardians of our liberties, in the same kind as some of the House of Commons are elected by their own tenants, or the proprietors of Old Sarum, (where no living soul inhabits) may return themselves; and yet, when vested in the trust, are equally careful of the publick, as those who are introduced by several thousand voices. This honour therefore can noways be denied to the House of Peers, who have through a long succession of ages worthily acquitted themselves of it, and the publick liberties are the safer by their honours prerogatives. However, the House of Commons having much more their existence from, and dependence on the people, do claim somewhat peculiar in this matter, and in the argument proposed are solely to be treated of.

The representative of the commons of England at this day, consists of five hundred and thirteen persons, under the distinguishment of knights, citizens, and burgesses, the barons of the Cinque-Ports being comprehended under the latter head; and the several districts of the kingdom whence these deputies (as in France, Poland, Holland, and elsewhere, such are and have been called) are sent, be obviously as followeth: The forty shires of England find 80 knights, and the twelve shires of Wales 12, in all 92 knights, elected by the freeholders of the several counties; the cities, boroughs, and ports of England are two hundred and four, which all send 409 deputies, and the twelve in Wales 12, together making 421, who, with the 92 knights, make up the roll of that august assembly. Among the boroughs of England,—Bewdly, Banbury, Abington, Monmouth, and Higham-ferrers send each but one; London, Oxford, and Cambridge, every one four, and the rest all two a-piece; in most of which places privileged to elect, every housekeeper contributing to the church and poor, (as a freeman of England) has a vote, but in some that right of the electors is restrained, and in others enlarged profusely; touching which I noways intend a minute discourse, but at present it shall suffice to say, That as the charter of Wenlock, 8th Edward the Fourth, is the first in our records, which has in it an express clause for sending members to parliament, so it is conceived that all corporations or boroughs by charter till that time, had it virtually included as a right inseparable to such bodies.

To bring the essentials of our constitution into argument were an unpardonable presumption in a private person; those who have the legislature are ever to remain sole judges of it: For my part I do not allow myself to debate the alteration of any thing hitherto established, but as a sincere lover of his country, I think, it better becomes, to justify and applaud all the parts of that constitution under which we have lived so long the happiest people under heaven: Therefore if any object, that the west carries an unreasonable over-balance in this representative, I answer, (granting the supposition) There is even a felicity in that error, for those counties have the best of our ports, they are our immediate frontier towards France, and so the dominion of the channel is their sole barrier; they lie in the line of navigation, the riches of our mines and most important manufactures are on that side. If others object, that the land-holders are not proportionably represented to the inhabitants of boroughs, I say, the practice in the most of the said boroughs being (for some ages past) to return gentlemen of considerable estates in land, has in some sort transmitted their right to the same interest; and hereby it is we are built on a firm foundation, there being no such caution of good behaviour to the publick as a valuable concern in it; though had the bill of last session passed, or any other like it for the future should, to transfer the right of election to the land-holders from incompetent boroughs, there is little doubt but it would find

a general approbation and applause, because, the more knowing, free, and numerous the electors are, the better judgment of the candidates may be presumed from them, provided the number be not beyond measure exorbitant.

To refer then those affairs to their proper judges, the intention of these papers is,

First, To enquire a little into matter of fact, how long the several boroughs now electing members have exercised that privilege, which has given them the title of prescription; (for touching knights of the shire, I shall speak but occasionally).

Secondly, To shew from observations thence, that an increase of boroughs does not ways interfere with the essentials of our constitution.

Thirdly, To lay down a scale of property, or rule to compute the several proportions of the body represented.

Fourthly, To demonstrate, that there is no parallel in the kingdom to the case of Middlesex.

Fifthly, To propose somewhat in favour of London and Westminster, from several reasons and arguments to prove, that the same would be of great benefit to the kingdom in general.

First, For evidence of prescription in those boroughs, which sent members to parliament any time before the end of Edward IVth, the author builds himself entirely upon the 3d and 4th parts of William Pryn's Collection (from the Tower-records) of parliament writs, both those for election, and those for levying their expences after the session; which latter were constantly issued even down to the commencement of the last century; I refer my reader to the aforesaid books, where he will see the names of all such who served for every borough in England during those ages: He may observe also, within the space of 220 years, there were 110 new parliaments elected; and many more curiosities will therein appear; but I confine myself to such observations only as belong to my proper subject. Mr Pryn says, the most ancient of those writs are dated 49th Henry III. issued to the sheriffs, to summon the several boroughs in their counties by precept, to elect and return members, whereon the sheriffs made constantly their returns with these words, *Nec sunt plures burgi intra ballivam meam*; so that his Collection, whereof is subjoined an extract, is certainly exclusive of all right to prescription higher than Henry VII. in the present boroughs not specified therein. However, it is not to be conceived that the oldest of those writs did erect an House of Commons, any more than summons to parliament some barons by tenure (near the same time) did first constitute an House of Lords; but rather it would seem, that the practices then begun did from one undivided council or parliament of barons form two distinct houses.

I must premise also, that the sheriffs being only enjoined in those writs to send precepts to their boroughs, without a list of what towns were such, they sometimes spoke their partialities, in giving precepts to some that were not so; whence it arose that there are thirty-five towns mentioned in those records which at this day do not send members, though thereby they had a like claim with the twenty-three astracised, that now do; among which pretermitted towns, Axebridge made five returns, Chard eight, Chipping-norton three, Farnham three, Whitney five, Kingston on Thames four, Storford eight, Blanford two, Dadington two, Bradnisham two, Ledesford two, Ravenspur two, and all the rest but one; or, receiving precepts, never did return at all: But Torrington in Devonshire, from the 30th Edward I. unto the 5th Henry IV. having made thirty-two returns, pleaded her poverty by petition to the king's council, for a discharge from that burden; wherein, after two or three applications, they were gratified by letters patents of exemption: To maintain two of their burgesses for the benefit of the commonwealth was not looked upon so much a franchise in those days as a service in which they were bound to the crown. The same reason made others not to send very frequently, and some utterly to refuse the privilege; and if now-a-days.

two shillings *per diem* were levied on the boroughs, for each of their representatives, during parliament attendance, perhaps Torrington would not long remain the sole instance of praying a discharge.

Boroughs which sent Members to Parliament before An. Chr. 1483, and how often they did severally return unto that Time, as followeth.

From the Counties of	
<i>Bedford.</i>	Bedford, 28 Edw. I. and in all 106 returns
<i>Berks.</i>	New Windsor, 1 Edw. II. and in all 22 returns Reading, 30 Edw. I. and in all 89 returns Wallingford, 30 Edw. I. and in all 85 returns
<i>Bucks.</i>	Chypping Wycomb, 28 Edw. I. and in all 79 returns * Agmondesham, 28 Edw. I. and 1 and 2 Edw. II. lately restored * Wendover, 28 Edw. I. and 1 and 2 Edw. II. restored 21 Jac. * Great Merlow, 4 times to 33 Edw. III. lately restored
<i>Cambridge.</i>	Cambridge, 26 Edw. I. and in all 95 returns
<i>Cornwall.</i>	Launceston, 26 Edw. I. and in all 88 returns Leskard, 1 Edw. II. and in all 65 returns Lostwithiel, 4 Edw. II. and in all 64 returns Truro, 26 Edw. I. and in all 75 returns Bodmin, 26 Edw. I. and in all 86 returns Helston, 26 Edw. I. and in all 77 returns
<i>Cumberl.</i>	Carlisle, 30 Edw. I. and in all 88 returns
<i>Darbysh.</i>	Darby, 26 Edw. I. and in all 97 returns
<i>Devonsh.</i>	Exeter, 26 Edw. I. and in all 109 returns Totnes, 26 Edw. I. and in all 77 returns Plymouth, 26 Edw. I. and in all 11 returns Barnstable, 26 Edw. I. and in all 82 returns Plympton, 26 Edw. I. and in all 76 returns Tavistock, 4 Edw. III. and in all 71 returns Dartmouth, 24 Edw. III. and in all 51 returns * Honiton, 28 Edw. I. and 4 Edw. II. restored lately * Oakehampton, 28 Edw. I. and 7 Edw. II. restored lately * Ashburton, 26 Edw. I. and no more till lately
<i>Dorsetsh.</i>	Pool, 14 Edw. III. and 4 times more to 12 Edw. IV. Dorchester, 26 Edw. I. and in all 83 returns Lyme, 28 Edw. I. and in all 70 returns Weymouth, 12 Edw. II. and in all 50 returns Melcomb Regis, 1 Edw. II. and in all 75 returns Bridport, 26 Edw. I. and in all 75 returns Shaftsbury, 26 Edw. I. and in all 81 returns Wareham, 30 Edw. I. and in all 57 returns
<i>Essex.</i>	Colchester, 26 Edw. I. and in all 94 returns Malden, 7 Edw. III. and in all 69 returns * Harwich, 17 Edw. III. only restored lately
<i>Glocestersh.</i>	Glocester, 26 Edw. I. and in all 90 returns
<i>Herefordsh.</i>	Hereford, 26 Edw. I. and in all 102 returns Lempster, 26 Edw. I. and in all 85 returns * Weobly, 26 Edw. I. and thrice more to 33 Edw. III. restored 3 Char. I.

- Hertfordsh.* Hertford, 26 Edw. I. to 7 Hen. V. in all 18 returns
 * St Albans, 26 Edw. I. and ten more to 5 Edw. III. restored by Edw. VI.
- Huntingt.* Huntington, 26 Edw. I. and in all 93 returns
- Kent.* Canterbury, 26 Edw. I. and in all 101 returns
 Rochester, 26 Edw. I. and in all 88 returns
- Cinq. Ports.* Sandwich, } from 49 Hen. III. unto 12 Edw. III. were enjoined to elect
 Dover, } three or four each, and most of that time the same stile was
 Hyeth, } used in their writs as to barons, whence so called to this day.
 Roumny, }
- Lancashire.* * Lancaster, 26 Edw. I. and to 33 Edw. III. but 11 returns; lately re-
 stored
 * Preston, 26 Edw. I. and to 33 Edw. III. but 11 returns; lately restored
- Leicestersh.* Leicester, 26 Edw. I. and in all 99 returns
- Lincolnsh.* Lincoln, 49 Hen. III. and in all 111 returns
 Grimsby, 26 Edw. I. and in all 84 returns
 Stamford, 26 Edw. I. and but 6 returns in all
 Grantham, created by Edw. IV.
- Middlesex.* London, 26 Edw. I. and in all 93 returns
- Norfolk.* Norwich, 26 Edw. I. and in all 91 returns
 Lynne, 26 Edw. I. and in all 70 returns
 Yarmouth, 26 Edw. I. and in all 85 returns
- Northampt.* Northampton, 26 Edw. I. and in all 101 returns
- Northumb.* Newcastle, 26 Edw. I. and in all 80 returns
- Nottingh.* Nottingham, 26 Edw. I. and in all 98 returns
- Oxfordsh.* Oxford, 26 Edw. I. and in all 110 returns
 * Woodstock, 30 Edw. I. and 33 Edw. III. restored 13 Eliz.
- Salop.* Shrewsbury, 26 Edw. I. and in all 97 returns
 Bridgenorth, 28 Edw. I. and in all 92 returns
 Wenlock, 8 Edw. IV. by charter only 1; but ever since Hen. VIII. at least
 they have sent 2.
- Somersetsh.* Bristol, 26 Edw. I. and in all 96 returns
 Bath, 26 Edw. I. and in all 99 returns
 Wells, 26 Edw. I. and in all 88 returns
 Taunton, 26 Edw. I. and in all 75 returns
 Bridgewater, 26 Edw. I. and in all 91 returns
 Ilchester, 26 Edw. I. and in all 30 returns
 * Milburn-port, 28 Edw. I. and 33 Edw. III. restored 3 Car.
- Southampt.* Winchester, 26 Edw. I. and in all 96 returns
 Southampton, 26 Edw. I. and in all 79 returns
 Portsmouth, 26 Edw. I. and in all 78 returns
 * Andover, four times to the 35 Edw. III. restored lately
- Staffordsh.* * Litchfield, 4 Edw. II. and to 33 Edw. III. and in all 9 returns
 Stafford, 26 Edw. I. and in all 89 returns
 Newcastle, 29 Edw. III. and in all 45 returns
- Suffolk.* Ipswich, 26 Edw. I. and in all 85 returns
 Dunewich, 26 Edw. I. and in all 60 returns
 * Orford, 26 and 35 Edw. I. restored lately
- Surrey.* Southwark, 26 Edw. I. and in all 88 returns
 Blechingly, 26 Edw. I. and in all 59 returns
 Ryegate, 26 Edw. I. and in all 61 returns
 Guilford, 26 Edw. I. and in all 98 returns
 Gatton, 29 Hen. VI. and in all 5 returns

- Sussex.* Chichester, 1 Edw. II. and in all 93 returns
 Horsham, 30 Edw. I. and in all 65 returns
 Midhurst, 4 Edw. II. and in all 50 returns
 Lewis, 26 Edw. I. and in all 61 returns
 Shoreham, 26 Edw. I. and in all 66 returns
 East Grinstead, 1 Edw. II. and in all 52 returns
 Arundel, 30 Edw. I. and in all 75 returns
 Brembre, 26 Edw. I. and in all 26 } Usually as one borough, return
 Steinings, 26 Edw. I. and in all 13 } jointly.
 Seaford, 20 Edw. to 1 Hen. IV. and in all 8 returns, not as a port
 Rye,
 Winchelsea, } *Vide Kent, Cinque Ports.*
 Hastings,
- Warwicksh.* Warwick, 26 Edw. I. and in all 88 returns
 * Coventry, 30 Edw. I. and to the 27 Edw. III. in all 8 returns
- Westmorel.* Appleby, 26 Edw. I. and in all 85 returns
- Wiltshire.* Salisbury, 26 Edw. I. and in all 97 returns
 Wilton, 28 Edw. I. and in all 93 returns
 Downton, 26 Edw. I. and in all 25 returns
 Calne, 26 Edw. I. and in all 32 returns
 Divizes, 28 Edw. I. and in all 51 returns
 Chippenham, 26 Edw. I. and in all 27 returns
 Malmesbury, 26 Edw. I. and in all 57 returns
 Cricklade, 1 Edw. II. and in all 34 returns
 Great Bedwin, 30 Edw. I. and in all 27 returns
 Lurgurshall, 28 Edw. I. and in all 25 returns
 Old Sarum, 34 Edw. III. and in all 28 returns
 Marlborough, 26 Edw. I. and in all 61 returns
 Hindon, 27 Hen. VI. and in all 6 returns
 Heytesbury, 28 Hen. VI. and in all 5 returns
- Wiltshire.* Westbury, 27 Hen. VI. and in all 6 returns
 Wottonbasset, 25 Hen. VI. and in all 7 returns
- Worcester.* Worcester, 26 Edw. I. and in all 103 returns
 * Droitwich, in Edw. I. and II. were 5 returns; restored lately
- Yorkshire.* York, 49 Hen. III. and in all 92 returns
 Kingston on Hull, 12 Edw. II. and in all 67 returns
 Scareborough, 28 Edw. I. and in all 79 returns
 * Rippon, 1 Edw. II. only; restored lately.
 * Malton, 26 Edw. I. only; restored 1640.
 * Northallerton, 26 Edw. I. only; restored 1640.
 * Beverley, 26 Edw. I. and 15 Edw. III. restored lately
 * Pontfract, 26 Edw. I. only; restored 18 Jac.

Boroughs which never did send Members till after Anno 1483.

From the
 Counties of

Berkshire. ABINGTON

Bucks. Buckingham

Cheshire. Chester, by act 35 Hen. VIII.

Cornwall. Eastlow, by charter 13 Eliz.

Foway, by charter 13 Eliz.

St German, by charter, 5 Eliz.

Aylesbury

	St Maws, by charter, 5 Eliz.	
	Saltash, - - - - -	Tregony
	Camelford, - - - - -	Bossiney
	Westlow, - - - - -	St Ives
	Grampound, - - - - -	Newport
	St Michael, - - - - -	Penryn
	Callington,	
<i>Cumberl.</i>	Cockermouth	
<i>Devonshire.</i>	Beer-Alston, - - - - -	Tiverton
<i>Dorsetsh.</i>	Corfe-Castle	
<i>Durham.</i>	Durham, by act 25 Car. II.	
<i>Glocester.</i>	Cyrencester, by charter 13 Eliz.	
	Tewxbury.	
<i>Kent.</i>	Maidston, by charter 7 Edw. VI.	
	Queenborow, by charter 13 Eliz.	
<i>Lancaster.</i>	Newton, - - - - -	Wigan
	Clitheroe, - - - - -	Liverpool
<i>Lincolnsh.</i>	Boston,	
<i>Middlesex.</i>	Westminster	
<i>Monmouth.</i>	Monmouth, by act 27 Hen. VIII.	
<i>Norfolk.</i>	Thetford, - - - - -	Castlerising
<i>Northampt.</i>	Peterborough, - - - - -	Brackly
	Higham-Ferrers.	
<i>Northumb.</i>	Morpeth, - - - - -	Berwick
<i>Nottingh.</i>	Newark, by charter of Charles II.	
	East Retford.	
<i>Oxfordsh.</i>	Banbury.	
<i>Salop.</i>	Ludlow, - - - - -	Bishops-Castle
<i>Somersetsh.</i>	Mynehead, by charter 5 Eliz.	
<i>Southampt.</i>	Christchurch, by charter 13 Eliz.	
	Stockbridge, by charter 5 Eliz.	
	Petersfield	Yarmouth
	Lymington, - - - - -	Newton
	Whitechurch, - - - - -	Newport
<i>Stafford.</i>	Tamworth, by charter 5 Eliz.	
<i>Suffolk.</i>	Aldborough, by charter 13 Eliz.	
	Eye, by charter 13 Eliz.	
	St Edmondsbury, - - - - -	Sudbury
<i>Surry.</i>	Haslemere.	
<i>Worcester.</i>	Evesham, by charter 3 James	
	Bewdley.	
<i>Yorksh.</i>	Knaresborough, - - - - -	Richmond
	Boroughbridge, - - - - -	Heydon
	Aldborough, - - - - -	Thirske
<i>Wales.</i>	12 Boroughs, by acts 27 and 28 Hen. VIII.	

This catalogue contains 82 boroughs, and the former 134, which together compleat the number in our parliament, viz. 216.

Secondly, By computations drawn from these recited catalogues, it will manifestly appear, that an increase of boroughs has never been judged any breach of the constitution, but, contrarywise, the continual progression of number seems to have been a considerable access of strength to it: There is no instance of diminution, except the single

case of Torrington, for the pretermission of those 35 formerly summoned cannot amount to it; the majority of them expressed sufficiently their indifference and refusal of that privilege, and the seven which obeyed their precepts more than twice, yet soon grew weary of the sheriffs officiousness to summon them; or else the sheriffs desisted therefrom, because really they never had, in the tenure of their towns, or by charter, any right to be summoned; one of which causes must also belong to the astracised 23: And it may well be conceived the continuance of returning members in several others of the lesser boroughs, was due rather to some gentlemen of estates adjoining, than to any disposition or concern of the inhabitants; nor is it improbable their very first summoning or institution was so likewise.

As to the 23 I have astracised in the first catalogue, 6 of them sent but once, and 6 twice, but neither they, or any one of the remainder, did send members for above 120 years preceding the end of this collection of records; so that no impartial man can disallow us to deduct those 23 from the 134, and to say, that at the latter end of Edw. IV. the representative of England had in it but 111 boroughs at the most, and 37 counties, (Monmouth, Durham, Cheshire, and those in Wales being since added) which allowing 2 members for every one of either, makes in all about 296 persons: Edw. IV. created Grantham and Wenlock, Hen. VI. Gatton, Hindon, Heytersbury, Westbury, and Wottonbasset, so that until his reign there could be but 282 members in the House of Commons: Nor is it likely the number was higher in any reign before; for Edw. III. and II. created 38 boroughs between them, which overbalances the 36 pretermitted: But if we consider how frequently many of the allowed boroughs failed to make returns, and that the counties sometimes sent but one knight, and in particular, that Windsør, Pool, Plymouth, Hertford, Stamford, Ilchester, Brembre, Steynings, Seaford, Downton, Calne, Chipenham, Bedwin, Lurgurshall, not one of them sent a fourth part of the times that parliaments were called; it is not probable that, until the reign of Henry VI. the House of Commons did ordinarily consist of more than half the present constituent thereof.

From Edw. IV. unto Edw. VI. Mr Pryn tells us the records of this kind are near all lost; and since the latter, they are so confused, that he could not draw from thence a like account of the newer boroughs: What is therefore observed of the last catalogue of 82, and the astracised 23, was drawn by him from the Commons journal, except some very few things which the author hereof has on good authority added: I could have wished to have made the chronology of the latter table as perfect as that of the first, for thereby my argument would have looked with a better grace, though already there is abundantly sufficient to support it. Hen. VIII. by act privileged Chester, Monmouth, and Wales, all which counties and boroughs increased the House of Commons 31 voices; Maidston and St Albans were added by Edw. VI.; thirteen boroughs more by Queen Elizabeth; three more and the universities by James I.; four in the time of Charles I. Newark by charter, and Durham with knights to the county by act in Charles II.

Since then, from the highest antiquity in record, frequent addition of new boroughs has been, and almost in every reign successively to this day, without any imputation of altering the foundations of our constitution thereby, the like thereof may surely be again whenever the king and parliament see good; which is all the inference drawn from the premises, except that addition of number in the same borough is taken to be included, as of the like nature; so Wenlock, and some others now sending two, formerly did but one, and Cambridge and Oxford have been privileged to send four. The Venetian grand council has in it 3000 without confusion, and that of the barons by tenure anciently in England had undoubtedly more. I proceed then to the third division of this discourse.

Thirdly, In pursuance of the intended method, I am to lay down a scale or stand-

ard, by which to examine the several proportions of the body represented, in the choice whereof (having no precedent) I hope to be the more easily excused, if the rule by which other things are tried be itself not perfect; since to him who would use political arithmetick, or argue touching things from numbers, (a way lately recommended by a polite hand) it is of necessity to find an area whereon to fix his machine. A foundation then to our purpose must be, I conceive, some kind of rule in property, rather than any scheme of numbers, taken from the capitation or poll-taxes, and that I have chosen I thought more certain than any terrar of land which could be drawn; besides, I industriously evade all novelties, and therefore shun any parallel of Oceana's Agrarian, or forming the whole representative from the land, in prejudice of the boroughs of this kingdom, a majority whereof has attained to so venerable antiquity in their prescription.

The method of taxation called a royal aid, which is become more frequent with us of some years past than any other, is what I have fixed upon; whether it be the most unrepachable rule of subsidies, is not in my argument to controvert; but this I undertake, to draw no conclusion from the use of it, but what must be verified by any other scale of proportions whatever. The particular act I have taken of that sort, is that which by an assessment of two shillings per pound on all revenues, did raise in the year 1700 the sum of 989,965*l.* 19*s.* 6½*d.* from the whole kingdom, by the several proportions hereunder specified, as in the act more at large appears; which said sum being subdivided by 513, (the number of the kingdom's representatives) does produce 1930*l.* to be the standard, by which every county may be known, whether it be over or under-represented in parliament, and by what degrees it is so: Not that I argue the body ought to be represented by such shares without distinction, but, craving leave only to state matter of fact in the form following, I hope not to frame thence any malignant inference, or unworthy of a gentleman.

				<i>l.</i>	<i>s.</i>	<i>d.</i>	<i>Sends Members.</i>	<i>Its Pro-portion.</i>
Of the aforesaid Tax,	Bedfordshire paid	—	—	14277	7	5½	4	7½
	Berkshire paid	—	—	20527	0	4	9	10½
	Buckinghamshire paid	—	—	23830	8	9	14	12¼
	Cambridgeshire paid	—	—	16413	1	6	6	8½
	Cheshire paid	—	—	14299	12	1½	4	7½
	Cornwall paid	—	—	15987	13	0	44	8¼
	Cumberland paid	—	—	1856	19	1¼	6	1
	Derbyshire paid	—	—	12046	19	10¾	4	6¼
	Devonshire paid	—	—	41291	11	8	26	21½
	Dorsetshire paid	—	—	16558	3	9¼	20	8½
	Durham paid	—	—	5298	17	2¾	4	2¾
	Essex paid	—	—	45503	10	10	8	23
	Gloucestershire paid	—	—	23761	6	5	8	12
	Herefordshire paid	—	—	10204	13	4	8	5½
	Hertfordshire paid	—	—	21486	12	8	6	11
	Huntingtonshire paid	—	—	7748	12	6	4	4
	Kent paid	—	—	41721	14	2	18	21½
	Lancashire paid	—	—	10494	17	3¼	14	5½
	Leicestershire paid	—	—	17435	19	6¾	4	9
	Lincolnshire paid	—	—	36113	5	2	12	19
	Middlesex paid	—	—	153877	1	5¼	8	79¼
	Monmouth paid	—	—	4906	3	2¾	3	2½

Of the aforesaid Tax,			l.	s.	d.	Sends	Its Pro-
						Members.	portion.
Of the aforesaid Tax,	Norfolk paid	—	42330	6	2	12	22
	Northamptonshire paid	—	24053	13	4 $\frac{1}{2}$	9	12 $\frac{1}{2}$
	Northumberland paid	—	7274	8	8	8	3 $\frac{3}{4}$
	Nottinghamshire paid	—	13638	5	4 $\frac{3}{4}$	8	7
	Oxfordshire paid	—	19591	13	1 $\frac{1}{2}$	9	10
	Rutlandshire paid	—	2762	11	11 $\frac{1}{4}$	2	2 $\frac{1}{2}$
	Shropshire paid	—	14530	9	6 $\frac{3}{4}$	12	7 $\frac{1}{2}$
	Somersetshire paid	—	36236	11	9	18	19
	Southamptonshire paid	—	27594	3	0 $\frac{1}{4}$	26	14 $\frac{1}{2}$
	Staffordshire paid	—	13560	11	7	10	7
	Suffolk paid	—	36909	12	7	16	19
	Surrey paid	—	33507	6	9 $\frac{1}{4}$	14	17 $\frac{1}{4}$
	Sussex paid	—	30410	0	6 $\frac{1}{2}$	28	16
	Warwickshire paid	—	16932	5	4	6	10 $\frac{1}{2}$
	Westmoreland paid	—	1522	11	10 $\frac{3}{4}$	4	0 $\frac{3}{4}$
	Wiltshire paid	—	25836	3	11 $\frac{1}{2}$	34	13 $\frac{1}{2}$
	Worcestershire paid	—	16848	9	8 $\frac{1}{2}$	9	8 $\frac{3}{4}$
	Yorkshire paid	—	45816	5	8	30	23 $\frac{3}{4}$
	Wales entire paid	—	21968	16	—	24	11 $\frac{1}{2}$
			989963	19	6 $\frac{1}{2}$	513	513

Fourthly, To demonstrate that there is no parallel in the kingdom to the case of Middlesex, I have no more to do than to state some proportions in the recited appropriations on the several counties, as followeth:

Of the Counties most over-represented	sends	for	Of the Counties most under-represented,	sends	for
Cumberland.....	6	1	Middlesex.....	8	79 $\frac{1}{2}$
Westmoreland.....	4	0 $\frac{1}{4}$	Essex.....	8	23
Cornwall.....	44	8 $\frac{1}{4}$	Leicester.....	4	9
Wiltshire.....	34	13 $\frac{1}{2}$	Cheshire.....	4	7 $\frac{1}{2}$
Dorset.....	20	8 $\frac{1}{2}$	Bedford.....	4	7 $\frac{1}{2}$
Lancaster.....	14	5 $\frac{1}{2}$	Norfolk.....	12	22
Those of Wales.....	24	11 $\frac{1}{2}$	Hertfordshire.....	6	11
Northumberland.....	8	4	Warwick.....	6	10
Sussex.....	28	15 $\frac{1}{4}$	Lincoln.....	12	19

As to the first classis of this table, over-represented, I am noways concerned to reflect upon it, and have drawn it only for illustration of the case in hand: Prescription is their title, and the experience of some ages having produced no dangerous consequence, that, in my opinion, does sufficiently answer whatever reflections may be raised from the Agrarian principles; although at the same time I should think it very unequal to argue the same right of prescription for a negative, viz. that because Middlesex never was represented by more than eight, therefore it never ought to be so; and this principal reason I give, that the very same argument applied to all the other counties, must of necessity reduce them to their several conditions in Edward the First.

Touching the second part of this table, the under-represented, the most distinguished are three; Leicester, which has about one half of its proportion; Essex, which has

about one-third, and Middlesex one-tenth, so that the case of the latter, is undoubtedly without any parallel; wherefore, if a way of redress may be proposed for her, which can never be drawn into consequence, or applicable to any other, and which is at the same time beneficial to the kingdom in general, I hope not to deserve ill from any, in offering such a one. But before I descend to the said proposal, one thing more ought to be premised, That the county of Middlesex, because of its entire dependence on her two great cities, is to be considered as their suburbs; and therefore I shall not offer any thing on behalf of the freehold-election, (that being conceived not disproportioned to other counties in general) but what I have to say is in behalf of London and Westminster, abstractedly taken.

Considering the promise to make no use of my standard of proportions, which will not hold good by any other whatsoever, and that henceforth I am restrained to speak of London and Westminster, it follows to shew, that the other cities of the kingdom will have as little reason to emulate any favour paid to these, as the counties in competition with Middlesex could pretend: In the act recited the quota of London was 61667l. 1s. 3½d.; that of Westminster was 31729l. 0s. ¾d.; whereas Norwich paid 5259l. 5s. 11½d.; Bristol, 3695l. 15s. 4d.; York, 2319l. 14s. 0d.; Oxford, 1867l. 4s. 10d. Cambridge, 1423l. 1s. 6½d. We see then that the advantage of argument rises higher by this comparison than the former one of counties; wherefore having thought fit to mention it, I do willingly abridge myself of it, lest any ill construction should arise.

Fifthly, By the standard used, the proportion of Middlesex would be to have 79 members of parliament; but since it is certain the rights of particular places ought to be waved, if inconsistent with the welfare of the community, and the inequality of other counties (warranted by prescription) will not justify any pretensions to approach the like; I suppose myself to have abundantly expressed the native English jealousy for the untainted honour of our constitution, and to have obviated all perverse constructions, when I offer on behalf of Middlesex but a quarter-part, by this standard, of her proportion, viz. that London might find twelve and Westminster six citizens for our parliament, which, with the knights, would be in all twenty for Middlesex: However, with the freedom of a true Englishman, these things are mentioned, it is entirely upon supposition still that the same would be of permanent considerable advantage to the kingdom, which is referred to the judgment of the publick, and left to depend wholly on the validity of the arguments ensuing.

Now, to have the state of the case rightly understood, it is needful to recite something in short of what has been already said: It has been taken for a foundation-principle, that the welfare of England does very much depend upon the dignity of her representative in parliament, which dignity appears to have been, for many ages successively, consulted by addition of number to it; but her present constituent being examined, and the counties compared by a scale of computation, Middlesex is by vast degrees the most of all other under-represented therein: For which obvious defect in the representative of our country, a provision is rendered in terms so moderate, as is supposed to obviate all malign reflections; since the same can never be pleaded on behalf of any other county, because Middlesex will still continue (without parallel) much the lowest represented in that assembly, and because the reasons given for such provision can never probably be applicable to any other, so I proceed to offer the considerations which do make it seem the common advantage of the kingdom.

1st, The degree of inequality in the particular case before us, is itself an argument for redress, though a lesser would not be, because it is far from being paralleled at home, or perhaps in other countries abroad; for the case of Apenzil having equal vote in the diet of Switzerland with the canton of Bearn, and that of Overissel a like in the States-general with the county of Holland, is very different from ours, because in both

those the greater are not concluded by the less; Bearn and Holland receive no laws or taxes from the over-ruling votes of Apenzil and Overissel. This instance is not indeed in other points just the same with ours, and therefore I frame hence no argument, but use it for illustration only; somewhat nearer is that of Amsterdam compared with the small cities, which jointly compose the states of the province of Holland, and in this instance the greater is concluded by the less, the majority of votes determining in many, though not in all points; in that assembly Amsterdam has one vote in 19, London but one in 105 of the boroughs. I alledge these foreign instances only to obviate the objection, That the inequality here mentioned as a grievance, is no more than what is found in all other countries in the like case. But the inequality, say some, if warranted by prescription of many ages, why should it now be complained of? I answer, without debating whether that title be indisputable in all points, that London for many ages has sent four members to parliament, when the whole number rose not higher than half the present; unto which, if we add the growth of London and Westminster for 100 years past, we shall find the inequality pleadable now before us has not much the authority of prescription for it.

But because no one shall suspect that this inequality is due solely to a false standard or balance used, I am content the quota proposed be examined by two other scales, which an ingenious author has furnished us with; he says, the number of living souls in the kingdom is computed at five millions and a half, whereof within the bills of mortality are five hundred and thirty thousand; he says, the latest books of hearth-money reckon a million and three hundred thousand houses in the kingdom, (the lowest cottages included) whereof the accurate survey of London and Westminster (about the same time taken) reports therein near one hundred thousand; so that Middlesex rising higher than both those proportions, may well be estimated one-tenth part of the whole kingdom, by which account her members in parliament would be fifty-one: Wherefore the present inequality may be supposed a subject worthy of redress, as is acknowledged in like case by the preamble of the act 35 Henry VIII. empowering the county and city of Chester to send to parliament.

2dly, The proportion of tax by the act herein used may well stand for an argument to prove my proposition reasonable; for, can there be any thing more so, than that those who bear the burden should enjoy the privilege? Is there any thing more agreeable to our constitution, than that the subjects money be not given otherwise than by their own consent? Can there be any thing more laudable and good in the sight of God and men, than the utmost impartiality possible be used in proportioning all the impositions of the state? This is to have our Exactor's righteousness, a prayer which the throne of heaven does encourage; and I believe, if the matter were enquired into, great and heavy taxations have in all countries been more cheerfully borne by the people, when levied with equality, than far less when manifest partiality has been practised; something of which kind was a principal ingredient in most of those calamitous revolutions, which have broken the Gothick frame in the several principalities of Europe, as would be easy to make appear; but we need not any argument to that end, the act herein specified is conceived to be in proportions equal, and in that sense is the foundation of all that has been advanced.

Wherefore taking it for granted that Middlesex justly bears two parts in thirteen of all subsidies levied in the kingdom, then can it be unreasonable she should have two in fifty-one of the representative, which is the sum of our proposal when allowed? Or, what sufficient reason can be given, that some boroughs which pay but 20l. for their quota, should be represented equally in estates with Westminster, which pays as often 31729l. to the support of the government? Not that a degree in the representative is pleadable in proportion to the degree of such payments, but only where so vast a difference is in the one, there some distinction ought likewise to be in the other;

as appears to have been practised from the ancientest records of our constitution, for London and the Cinque Ports (usually) were enjoined to send more than any other of the boroughs. If Queen Elizabeth, having for some years to do with the E. of Desmond, a powerful rebel in Munster, gave unto Mynehead, in Somersetshire, this privilege among others by charter, on the condition of keeping their harbour in good repair at their own costs, from the same just reason of usefulness and benefit to the publick, is some distinction here pleaded for, on behalf of London and Westminster.

3dly, The interest of naval power, our common glory and defence, seems to stand in need of some extraordinary cultivation; for though we hear it frequently advanced, That England by her good fleet could subsist and defend herself against any foreign invasion, without alliances abroad; however it be a riddle in itself, yet is built commonly upon a paradox more absurd, which is to say, that our dominion at sea may be sufficiently maintained without the root of a mercantile navigation; so that to exalt our power at sea, and depreciate at the same time the subservience of traffick, is common among us: If such would be pleased to look backwards, I am well assured trade will appear to have been mostly the parent of all marine force, and the natural support of it, and without which it never has subsisted in any nation longer than the reign of some extraordinary prince, or during some difficult junctures. To expatiate on this subject, would need a tract apart, therefore taking it for granted, that the royal navy of England cannot long flourish without the subservience of an answerable commercial navigation, what I have to say is as followeth.

Most countries in Europe at this time employ their sedulous endeavours to cultivate every one their proper manufactures, to invent new ones, to improve their native materials or productions, to discourage foreign imports; and, as 'tis called, turn the balance of traffick in their respective favours; which measures, I conceive, arise from a consent in politicks, that as money is now (more than ever) the nerve of war, (so that gold seems rather to command iron, than iron gold) trade is necessarily consulted, as the chief minister of wealth. Now no country in Christendom has the natural advantages, and so much adaptness for trade as England, and withal has a more absolute dependence upon it, but at the same time Aulick councils and committees of country gentlemen are not likely to produce that political encouragement which were to be wished; therefore, as good regulations with us arise ordinarily from the House of Commons, so the multitude of her constant emergencies, the uncertainty of her session, and above all, the general incapacity of her members for mechanical affairs has effected, that we see not commonly those good fruits of her results in this kind as in others. I should imagine then the admission of the number proposed, of men better turned to those affairs, would be various ways and means of advancing and securing the interest of trade among us; and when by the new provision courtiers must cease their pretensions to Westminster election, it is probable the interest of trade will there prevail as in London.

But because some may judge such-like matters not worthy the consideration I would put upon them, and to prevent other obloquies, I desire them to heed well the measures of France on this head; her superbe monarch does not think it beneath him to nourish several new projects of this nature with his own subscriptions to the first funds of them: He has erected courts in several of his great cities, for the more easy decision of causes commercial; his treaties with foreign states are as minutely weighed in this regard as any other; and the Mercury of August, 1700, tells of an edict issued for erecting a council of trade, composed of six counsellors of state, and twelve merchants, viz. from Paris two, Rohan, Bourdeaux, Lyons, Marseilles, St Maloes, Rochel, Nantes, Lisle, Dunkirk, and Bayonne, one each; these merchants are to be yearly elected by those cities in July, by the plurality of tradesmen respectively, and to render themselves at Paris by the first of October, there to meet once at least every week, to de-

liberate of all proposals, to intend the welfare of traffick, and to report their result to the council of state. In my mind, this very pattern, a little modelled to our constitution, would be more probable to discover the decays, to rectify the errors, and to induce a flourishing prosperity in our traffick, than any council which has been hitherto in use among us, for the particular reason that made me mention it, viz. the great majority of tradesmen in it.

4thly, Publick credit is well known to be of indispensable necessity with us, wherefore the good condition of it is a benefit very valuable to the kingdom; without which, parliamentary supplies in the usual course cannot answer the exigencies of the state; so that the ordinary charges of the government, such as the maintaining a summer squadron, the having in readiness any quantity of naval stores; nay, the disbursements of the household in time of peace, are not supplied without credit; much less in time of war can sea or land-soldiers be levied, our grand fleet put to sea, or the necessary operations in such a case proceed, but by this: And more especially in extraordinary emergencies, surprize, or distresses of the state, the very security of England must depend wholly upon the good condition of publick credit.

By publick credit is meant, when private persons lend sums of money, or vend commodities upon trust, for the use of the government; so when that is done with a streightened hand, then it follows, whatever money is needed by the state, cannot be had without high premiums; and in like manner, whatever kind of merchandise she wants, she must give extravagant prices for, because in both cases there will appear more of hazard. 'Tis therefore of inestimable advantage to the publick to put this matter into a good posture, touching which various tracts have been published; and I shall therefore confine myself to the subject in hand.

If then the cities treated of do afford, in a manner, all the commodities, and advance all the money which the state has more or less occasion for, I conceive the allowing them an addition to their representative in parliament, would be a very cogent means to create and perpetuate in them that readiness and confidence in this kind, as would turn to the vast emolument of the nation; whereby the occasions of high premiums and interest will be obviated: Nor does it appear what inconveniences can arise therefrom; for if from inscrutable ages some parts of the kingdom have possessed an overbalance in our parliament, without damage to the publick, how should this inconsiderable addition bring any?

5thly, The cities herein mentioned making up the august capitol of our empire, are the royal chamber of our monarchs, the seat of our high court of parliament, as well as of the highest subordinate courts of justice, the center of foreign and domestick trade, from which all the parts of the kingdom (as their head) derive influence, as well as reciprocally minister to it: This is our sole emporium, able to furnish our fleets and armies, and, in fine, wherein the majesty and strength of our government resides: On which accounts (if the fore-mentioned be postponed) it were not very unbecoming to allow some distinguishing favour in the representative.

But, I conceive, there is no such thing at present; for if London sends four members, Oxford and Cambridge do the same, though by a much newer title. If the near vicinity of London and Westminster be pleaded for a favour, that's no more than is frequent elsewhere; as in the case of New and Old Sarum, (though the old be the newer borough) Brembre and Steynings, (formerly returning but as one) Eastlowe and Westlowe, Launceston and Newport, St Ive and Callington, Tregony and Grampound, Truro and St Michael, Weymouth and Melcomb Regis, Rye and Winchelsea, with some others, if Speed's maps of those countries may be relied on. One thing more from the grandeur of London and Westminster, which might weigh in this case is, that the number and quality of their electors is such as will not easily admit of those corruptions in election, which have been so rife in the lesser boroughs.

These reasons alledged for some distinction to the cities of London and Westminster in the representative of England, are obviously taken from matters of fact, and put together without art, the author being sensible enough he is unable any ways to embellish a theme of this nature; so that however the subject has suffered by his defect, he will have always for his consolation, the conscience of a disinterested and unpretended aim, at least, to the benefit of his country: Whether his judgment herein be condemned or approved, he will be very little affected, having no personal concern, more than his private inheritance, embarked in the vessel of the commonwealth; and as he has been dictated by none but his own solitary amusement, and therefore has no intention to serve a party, so his peculiar care has been to avoid whatever might justly give offence; but if in that he should be disappointed, he has this one consolation left, the safe retreat of a mistaken or abused innocence.

In closing a discourse of this subject, having pretended to be a lover of my country in a juncture like the present, I hope to be pardoned in adding a few lines alien from the point in hand.

It is well known dangers from abroad can threaten England only from the side of France, and his gracious majesty has imparted his opinion, That our animosities are the sole hope of our enemies; and if so, I doubt not but the wisdom of our parliament will soon make it give up the ghost: God forbid! if no confusion of languages in the new cementing kingdoms do defeat our modern Nimrod of his projected universal monarchy, that any such amongst us should however further and accomplish it, let the past ages warn us sufficiently.

How did the court of France blow the coals between Henry the Second and his rebellious sons, and then warm herself at the flames? How did Philip Augustus avail himself of our confusions under King John and Henry the Third? During the distractions of Richard the Second, how did the French extend their ravages on our coasts? On the other side, the animosities of France between the houses of Burgundy and Orleans, did more to place our Henry on that throne than the battle of Agincourt; and as soon as the house of Burgundy withdrew her interest from ours by the treaty of Arras, the English affairs declined there apace. Neither was it the peculiar bravery of the English alone which acquired us those vast advantages under Edward the Third, granted by the treaty of Britany, but in the torrent of that success we were much favoured by the malcontents of that kingdom, as the Earls of Artois and Montfort, the Lord of Harcourt, and, above all, by the King of Navarre, as Earl of Devereux, with their respective partizans. Now let us turn the tables again, and no sooner does Henry the Sixth, in England, put us into broilleries at home, but within the compass of three years we lost all those spacious dominions in France, except Calais, with this shameful circumstance, that what was gained with unparalleled bravery, was lost without any manner of defence, so much did the animosities then rising unman the English. Thus grandeur and success between England and France has been like a tide between both shores, ebbing and flowing as good order or confusion reigned on either side.

'Tis certain no differences or animosities can much injure us, but those that affect the supreme branches of the legislature; touching which, as I have restrained my discourse to the House of Commons, so I see but one thing desirable to her on this head, which is, that since petitions of complaint touching elections are grown to be so numerous every parliament, some expedient might be found to decide them with more ease and expedition for the complainants and the house herself: But as every one, no doubt, desires the same, so I hope some good genius will at length find out a method to content.

In fine, though we have been a nation disunited, and France at union within herself too long, yet in God's good time it shall be otherwise; the number of the princes of

the blood increasing, baulks and disappointments arising abroad, and poverty within at the same time, may soon disjoint that kingdom; and if our animosities have been fomented thence, they will consequently fail when the supposed fuel is withdrawn. 'Tis certain Cardinal Richlieu laid it down as a maxim, That England could never be destroyed but by herself; and accordingly he worked his engines, whereof there will never be wanting, while the popish cause so flourishes beyond sea, and we tolerate so many embittered subjects of that persuasion at home: But, I hope, since the mine is discovered, it shall not bury us in its ruins, nor (through the goodness of God) shall the head of the protestant interest sink, till time shall be no more.

The exorbitant Grants of William the Third examined and questioned, shewing the Nature of Grants in successive and elective Monarchies; and proving by Law and History, that Crown Lands are inalienable; that Resumptions were common all the World over; and likewise shewing, that where a Prince hath no Hereditary Title, he can make no Hereditary Right: And that Kings set up by Parliament can dispose of no Lands but with the Consent of Parliament; which renders William the Third's Grants totally void. 1703.

The Tories, who persecuted the memory of King William, dwelt much and invidiously upon the grants which he had made to his favourites, especially out of the forfeited estates in Ireland. His body was hardly cold, before a motion was made in the House of Commons by Sir Edward Seymour, that all these grants should be recalled, and applied to the public service. But although it was carried by a triumphant majority, yet the house afterwards dropped the bill of their own accord. The same measure was agitated by the Tory parliament of 1710, and again in 1712; but in both cases the motion, though it went no farther than proposing a commission to examine the value and consideration of the grants made since the Revolution, was lost in the House of Lords.

The present is a Jacobite tract, where the author avails himself of this popular subject of invective against King William.

To the Queen's Most Excellent Majesty.

MADAM,

As these papers, which beg your majesty's acceptance, are of the highest importance and concern to the throne, so I cannot but lay them at your majesty's feet, in hopes they may have their intended effect, and bring back those valuable branches of the revenue, which your majesty's predecessor has lopt from the crown.

Not that I would assume to myself to question the royal prerogative, or the title that is invested in the crown, to reward such as are well deserving of grace and favour, but would distinguish between elective monarchies and those which are successive, and make a difference between a prince that possessed the throne by vote of parliament, and those whose accession to it comes gradually, and by lineal descent, and whose call to the imperial dignity is the voice of nature. You have not only a dominion over the hearts of your people, but you are a queen of their vows and expecta-

tions, and a sovereign entirely their own in birth and education, which are blessings never made known to a nation under the direction of a foreign ruler.

Wherefore, since your majesty's reign has brought more honour and esteem to the English nation in ten months, than your predecessor in more than so many years; and since an uninterrupted series of success has hitherto kept company with your majesty's arms, and retrieved the reputation of a land that has been rendered inglorious by mis-carriages in the last reign, give me leave, madam, with all humility, to endeavour, by ways and means, to enable you to compleat that happiness you have given us so bountiful a taste of, and make us the envy of the world in your majesty's reign that had well nigh been the contempt of it, in that of another, which shall ever be the repeated business and labour of him, who is, madam,

Your majesty's most faithful, most obedient, and most devoted subject and servant.

The exorbitant Grants of William III. examined and questioned, &c.

Some interested, designing persons, composed of foreigners and favourites, thought it (considering their lofty stations in the last reign) a most high presumption, the Commons of England should attempt to resume the exorbitant grants of William III. and to prove the resumption is no new custom, I humbly offer to make it appear by history and law, that the Commons attempted no more than what was customary all the world over, and that resuming the crown-lands and regalities is in imitation of their ancestors, as by the sequel will appear.

All authors agree, that Rome, whether monarchical or republic, was founded by the choicest policies that ever were practised in the world. And Florus tells us, That he that reads the achievements of the Romans, contemplates not the actions of one single people, but of all the world in them: Then let us consider what expedients this valiant and prudent people exercised in cases of national danger, and when they were wearied with fatigues, loaded with taxes, and their country drooping for want of money; which is the life of the people, the sinews of war, and the only strength and prop of a state; which implies, that that kingdom or principality, whose money or treasure becomes frivolously exhausted, cannot expect to stand, but must sink or perish upon her own bottom if not early relieved.

For when Augustus Cæsar had the sudden news brought him of a vast army raised by Mark Anthony to encounter with him for the empire of the world, Augustus, by evil counsel, squeezed the people with taxes toward the support of the war: The people finding themselves beyond measure oppressed, they mutinied to that degree (as Plutarch reports it in his *Vita Antonii*) that the wisest of these times took it for granted, that if Anthony had but approached, the Romans would have certainly revolted, and delivered up Augustus into the hands of Anthony; but the imprudent delay of Anthony gave Augustus time for the sedation of the people's passion; and upon all occasions ever after, Augustus took contrary measures, by resuming all the grants made his friends and favourites; so that, during his reign, he made the people easy, which was the most prudent policy any prince could have thought of; since experience teacheth us, that no prince can be happy without the good-will of his subjects.

Having thus far treated of foreign customs, now we are arrived at home, and shall shew what our own statute-laws say upon this subject; and shew likewise, that it has been a laudable custom in England to revoke grants, and resume crown-lands. *Exempli gratia*, see the great resumption in Edward the Third's time, and 6th Henry IV. where it was enacted, That all such hereditaments, liberties, and customs as were belonging to the crown in the fortieth year of Edward III. and since, by any means grant-

ed, be resumed into the king's hands for ever, provided that all towns shall have their free liberties; which are the express words of the statute.

One of the principal ends of calling parliaments, was for redress of grievances. The parliaments in those days did usually hear and determine the wrongful acts of the king, of the queen, and of their children; and did likewise read petitions, and hear complaints against the insolence of insulting, imperious ministers, against whom the subject could not have common justice but in parliament; in which high court both rich and poor did use to find ease and refreshment: Oppressions were enquired into, grievances redressed, the state of the realm debated, foreigners, when found pernicious to the people's rights, compelled out of the kingdom, the law, from the higher sphere to the lower orb, handed down with an impartial distribution of justice, the people eased of taxes, the prerogative of the crown, and the rights of the subject asserted, crown-lands and revenues resumed, corrupt and vicious favourites punished, and all unworthy persons removed from court: These were the laudable, ancient customs in former parliaments. But of latter years the case has been much altered, and the parliamentary proceedings run in contrary channels. But it is to be observed, that whenever the natives join with foreigners in the dissolution of their own rights, that then ruin and desolation must necessarily attend the people.

If it be considered what depredations were committed by the expulsion of kings in this kingdom, the like has not been transacted in all Europe besides; for, of all the attempts made since the Norman conquest for the overthrow of English liberty, that of the dauphin of France, when one of our temporary kings, was the most dangerous, and the more pernicious, by reason he entered the land as a friend and not as an enemy, but he soon under the umbrage of the former acted the latter.

Our English chronicles say, The barons invited the dauphin to be revenged of King John, and that the Londoners, in conjunction with the barons, proclaimed the dauphin King of England. It is notable, that at his first coming, he published two declarations, in each whereof he condemned King John and his ministry, and promised that he himself would govern Englishmen according to the laws and customs of England. The dauphin thus, by sly insinuations, weaned the people's affections and allegiance from King John, and as soon as he got footing, and the possession of all the forts and castles, an army of foreigners about him, and the power of France to second him, he forgot his declarations, and of all his promises never performed one tittle. The English he despised and rejected, except such devouring wolves and mercenary persons, upon whom he prevailed, for gratuities and bribes, to betray their native country, and to enslave their fellow-subjects; the best of the English being removed, and the worst preferred, the new king thought not to leave the name or memory of an Englishman in England. The English looked upon it strange, that a prince of their own invitation and election should attempt to invade their rights. But the dauphin would give them no reason, but daily threw them out of their possessions, and filled their houses with his favourites and foreigners, which irritated the English against their new king, and having observed him prefer tyranny to mercy, and that in ambition, expences, oppressions, and mal-administration, he had far surpassed King John, then they found the direful consequence of bringing in foreigners, who, upon all such occasions, play the waterman, look one way, and row another; then they concluded, that flying from King John for refuge to the dauphin, was but leaping out of the frying-pan into the fire. The English were not asleep; they had their eyes open, and the dauphin watched their motion, and they watched his, both being sensible of each other's hatred, which could not be reconciled but by mutual injuries.

Here the dauphin and his bloody judges and counsellors exerted their power, and nothing but blood and murder in every station; but in process of time the dauphin found himself under as great distress as if he had been born under the star of Hercules,

who, when he had cut off one hydra's head, has his labour continued by the sudden production of many. The dauphin, the faster he cut off the English, the faster they grew upon his hands, until all declared against him; yet the dauphin did not cease, but repeated his crimes; insomuch, that he and his wicked favourites filled the nation with feigned conspiracies against himself, the better to encompass the ruin of the English, and to murder and destroy the best families in the kingdom; he caused spies to be placed in every family; he broke public unions, and dissolved private contracts; he bribed wives with their own dishonour to betray their husbands; and encouraged children with too early hopes of patrimony to rifle their parents' cabinets, and servants beyond manumission to reveal more than their masters' secrets; he punished the suspicion for manifest crimes, and circumvented the innocence of some, to cover his own guilt; for all those whom he hated and feared he injured, and all he injured he feared and hated. He caused his emissaries at public feasts to gather up the loose speeches of men made free by excess of wines and other liquors, till he had caused the innocent form of table-talk to be turned into compacts of treason, and had made every man's house either his grave or his prison. These are the fruits of bringing in foreigners to rule over Englishmen; here the English proclaimed, that the dauphin, and all his foreign cabals should by a day depart the kingdom, which he did accordingly, and all his grants expired with his reign, and reverted to the former owners; then the royal right of succession returned in the person of King Henry III. and the peace and felicity of the people were ushered in with the young king, who was then but nine years old; then the crown-lands were all settled and inseparably united to majesty.

It was enacted in parliament, in 1 Henry IV. That all the strangers or foreigners, who seemed to be officers about the king and queen, and obtained large grants by favour, or otherwise, should by a day depart the kingdom, and all others of the kind, or in conjunction with them. Whereupon writs to proclaim the same were, by assent of parliament, directed to the sheriffs of London, that they should bring in all patents of lands, and annuities to foreigners, and to all other favourites, granted by the king or queen; and it was accordingly performed and done with great rejoicings and high acclamations throughout England.

Our hereditary kings, and the good old English parliaments, understood the interest of England much better than to let foreigners have any land in England; or to let fawning favourites grow great by the spoil of the public. Our great monarchs did usually, towards the end of every session of parliament, return to the lords and commons special thanks for their aids and subsidies, though given in case of public defence, for their own and the kingdom's safety; and likewise gratified them with general pardons, answered their petitions, and redressed the kingdom's grievances: They confirmed the liberties in the great charter, enacted wholesome laws, eased the people of taxes, and seldom made war or peace, without consulting the great senate. Whereby we may understand, that parliaments in those days had a great deal more to do, than to be the keys to open people's purses with. And that Englishmen were not minors, but appeared unveiled in their own colours; they would not be kept in the dark, but were their own agents and ambassadors, and made their own conditions at home and abroad. They knew their own interest so well, that they did not believe English liberties well secured, but when in English keeping; they did not look on it as good policy, upon every mutation or whirlwind of state, to fill their mansions with foreign faces: The kings of England in those days were famous and victorious, and had none in their council but English, who made it their study as well as interest to promote the honour of England alone, and to keep a fair correspondence abroad; but the policy of the last reign differed and degenerated from the old, to the damage of all honest Englishmen.

And if matters be impartially considered, a review of the English chronicles will

make it obvious to all people, that foreigners and usurpers have committed more depredations here, than all the hereditary kings and queens of England, &c. from the first of King William I. to the last of King William III. and shew how our ancestors laboured against all such, as well in the defence of their liberties, as also to free the nation from insulting strangers, as in the case of Stephen, who having usurped the crown from the Empress Maud, brought in the Netherlands, and gave them large territories in England, which so incensed the natives against Stephen, that as soon as he was dead, he was declared an usurper, all his grants revoked, and the Netherlands expelled the kingdom by King Henry II.

Henry II. was addressed in parliament to banish his half-brother, who was a foreigner and an imperious prelate, who having introduced so many foreigners into that king's favour, that he was for a time governed by them, which gave the foreigners an opportunity to discover the secrets of state to the enemies of the king and kingdom. And the prelate being their chief instrument, was with the foreigners banished, and all their grants resumed. The prelate went to Rome, in whose favour the pope interceded, had his banishment taken off; and in his return for England, he died by the way, which did not at all affect the nobility and gentry. Richard I. was addressed to banish his nephew the Duke of Saxony and all his Germans, to which that king assented and recalled all their grants.

Edward II. was often addressed to banish Pierse de Gaveston, a gentleman in those days of prime quality of France, and who having got himself so deeply in the favour of that king, was more than half king himself; he lavished a great quantity of the public treasure, and did put the king upon many extravagancies, to the great detriment of the English. But the latter got the former under a double banishment; and Gaveston having returned again, the barons without consulting King Edward II. cut off Gaveston's head at Scarborough castle; and all the grants made to him and his, reverted to the crown.

Hugo Grotius clears the point betwixt an hereditary king and a foreign invader, *Sane cum rege initum fœdus manet, etiamsi rex idem aut successor regno a subditis fit pulsas. Jus enim regni penes ipsum manet, utcumque possessionem amiserit.* The league remains in the king, and if the same king or his successor be driven from his kingdom by his subjects, the right remains in the king, however he lost the possession of the kingdom. Cap. 16, sect. 16, and sect. 17, in the same chap. *Contra, si alieni regni invasor volente vero rege, aut oppressor populi liberi antequam consensus accedat, bello impetatur, nihil eo fiet contra fœdus, quia hi possessionem habent, jus non habent.* On the contrary, if the invader of another's kingdom, the rightful king being willing, or the oppressor of a free people (before he hath got sufficient consent of the people) be assaulted by war, nothing will be done thereby against the league, because they have possession they have not right: *Qualitates autem istæ in fœderibus regis successoris et similes jus proprie significant, et odiosa est invasorum causa.* Those qualities of king and successor (said he) and the like in leagues, do properly signify a right, and the invader's cause is odious. This was a case which not long since might have admitted of some dispute, if power had not overcome right; where the invader got the possession, but the right remained where it should be, which left the invader none at all. And the grants of all such carry in them no more right than the invader had in himself, and that being nothing, it is certain that out of that nothing, nothing could be; the cause of a foreign invader not having the right of war, is odious to the laws of nations, and was condemned by Valens, who refused the excuse of the King of the Goths, for his having given aid to Procopius, an invader, for which Ammianus likewise censured the said king.

And as for the lawyers who argued in favour of the late pretended abdication, they would not seem to be satisfied with the exclusion of King James only, but would have

all his family anticipated and extirpated; in order to which, a vacant throne and an *interregnum* were declared against the constitution and very essence of the monarchy; some of those lawyers are principally concerned in the English grants in conjunction with other late favourites and foreigners, who were all equally interested in rooting up the monarchy, and in the extirpating of all civil rights, having made it their whole business, study, and interest to supplant English natives, and make themselves the masters of their lands and possessions; for nothing ever appeared to the contrary, but that those Dutch and French came over for no other intent but to enslave the people, and trample upon the rights and liberties of Englishmen; and as for these English favourites in the last reign, none exclaimed higher against King James and his ministers, than they for religion and liberty; they pleaded aloud, until they had blown up the government: But when they got a prince for their own purpose upon the throne, instead of the little inferior men before the Revolution, we had them trumped upon us ministers of state, and all the former pretence of religion and liberty laid aside, then the divinity and the divines ran counter, and the laws turned in contrary channels; and whilst we expected to have enlargement of new liberty, they fettered the old, so that nothing was so certain as imprisonment, banishment, chains and fetters, and thus we were delivered from the cruelties attributed to King James II. And it is farther observable, that all the popular champions composed of natives, and foreigners in the last reign, voted as often as occasion offered, for a court-faction against the public interest of the nation, which is very well known to the better part of the lords and commons in both houses of parliament, which shall rather oblige the grantees to account for the mean profits, than expect a confirmation of their late grants from an injured princess, and a much abused people.

An injured princess, and a much abused people I say, and all the world must allow it, a princess who with her family suffered the most of all the families in Europe, by an open invasion of all their rights, contrary to all laws, and a much abused people, without any exceptions: For certainly there could not be a greater abuse upon any nation in the universe, than to exhaust her treasure, and squander away above sixty odd millions sterling in a loitering war, which returned to no other account, but item so much lost.

By her majesty's accession to the imperial throne of her royal progenitors, the hereditary kings and queens of England, God has been pleased to free us from a foreign yoke, and to restore the blood of our kings to rule over us, and to pour such blessings upon her majesty's arms in the first ten months of her reign, with little expence, and rendered more to retrieve the honour of England, than ever King William III. did at the expence of about 70 millions sterling throughout his whole reign, which makes a vast difference between being governed by an English-born princess and a foreigner; the latter progressed abroad, but the former does good at home.

Let whigs and fanatics boast never so much of King William III. it cannot be denied but that he owed more to the parliament of England, than to his own policy or conduct: As for his conquests abroad, they were never frequently known, neither did he in all his time bring home more trophies, honours, or triumphs, than he had extraordinary sums to accomplish.

The imprudent policy of the best of princes, King Charles II. has contributed to the misfortune of his own family: He left well deservers to go with the satisfaction of their own consciences, and with the hopes of a reward in the next world. Whereas, had not that meek prince by evil council rendered his enemies preferable to his friends, there would be no Round-heads, nor the race of them, left in any station, to plead a vacant throne, or an *interregnum*; no, nor would there be any necessity to resume those grants, nor to have the land incumbered with foreigners; but Providence has ordered things to the contrary, and sheweth that statesmen are sometimes out of their politics.

And thus Heaven ridicules the vanity of princes, and sends sometimes the worst thought-of men to rule over an unsatiable people, baffles the policy of the one, and burthens and enslaves the restless spirits of the other; and sometimes Providence, to exert its own over-ruling power, shews human policy to be short-sighted, where the latter requires the native inhabitants to be dispossessed and exiled, to make room for foreign needymites, who, with those in conjunction with them, are like the exhalation of the earth, when they are raised to the height and brightness of stars, which portends ruin to the greatest persons and best families: Even so, inferiors, when elevated to power, ascend so high till they become boundless in ambition, and then they conspire against the best persons, and are commonly so desperate in carrying on their designs, that they hazard sometimes their own lives to gain their point; which, if they fail, they will be apt to ruin all by their fall, that an universal flame might be kindled by their funeral pile.

And now to come to a conclusion; from what was said before, it is certain, that where a prince hath no hereditary right or title, he can neither make nor convey any hereditary right or title: And King William III. being that prince, makes all his grants of no value. Secondly, King William III. was a king set up by parliament, and could not pretend to make any grants of lands to be transmitted to posterity, but with the consent of parliament, and having no such consent, makes all his grants as void, as those of the three Henries so declared in first of Edward IV. Thirdly, those grants were surreptitiously and surprisingly obtained against the authority of parliament, as appears by the votes, for having all the forfeitures converted to public uses: But the grantees, by an over-ruling interest, procured the said grants, which should render all the dates, sealers, keepers, and ministers concerned, equally accountable for lopping the public. And as every king set up by senate or parliament, is responsible to that power, being but in the nature of trustee for the public, and King William III. having neither right or title, but what he had from the parliament, obliged him to go no further in the exercise of his power, than the parliament should direct, and the parliament having given directions to have those forfeitures to the use of the public, it was not afterwards lawful for King William III. nor for his seal-keepers, and debtors, to convert the said forfeitures to the use of obscure private men, because all grants of laws from all kings shall be void, if not granted according to their will expressed in their laws: and these grants being not much, renders them all abortive.

Perhaps some violent whig might put the following question, after this manner, How can you deny a right in King William, and allow a right in Queen Anne? By what you have said of the line of succession before, the son is preferable to the daughter? And by what right then can the daughter rule, and not the son?

To which is answered, That by the policy of King William to screen himself, he got the son excluded, attainted and abjured, whether rightfully or wrongfully is not the question: But if rightfully, the daughter stands where she should in her own right, descended to her from father?

And on the other hand, if the son was wrongfully excluded, the queen had no share in the exclusion: But it was one of the legacies of King William III. to his kinsman, having resolved, a little before his exit, to be as kind to the son as he was to the father and family. The state of affairs now well considered, future ages will not only applaud the queen, but will render it the most glorious action of her life, to take the grant upon her.

And as for the grants of lands, made by our hereditary kings, (excepting those of the gown) they are as irrevocable as those made by King William the Conqueror: And to question the conqueror's grants, would be to arraign all civil rights in the kingdom, and to confirm those of King William III. would be to give hopes to factions, to have all at last in their powers, and be an encouragement to fresh revolutions, which would

not only make the government precarious, but would also extirpate the monarchy, root and branch, and leave noble, gentle, and simple to seek for their possessions in a second chaos. For the prevention of all such evils, now the cause is removed, let the grants be resumed, which will conduce to the re-establishing of church and state, and to the preserving all civil rights upon the old foundation.

All which is humbly submitted to the true preservers of the rights, liberties, and properties of the people, the Commons of England, assembled in parliament.

B. B.

And thus has this bold author unworthily treated the best of men and the best of kings, by trampling on the sacred ashes of a crowned head, who when living was the glory of England and the joy of all Europe: So that the above-said impudent reflections are visibly apparent, to be nothing but the product of malice, prejudice, and ill-nature.

The humble Representation of the Right Honourable the Lords Spiritual and Temporal in Parliament assembled, presented to her Majesty on Tuesday the Eighteenth Day of January, 1703. And her Majesty's most gracious Answer thereunto.

Die Lunæ 17 Januarii, 1703.

Simon Fraser of Beaufort, (afterwards Lord Lovat) during the year 1702, was employed as an emissary of the court of St Germain's, and in that capacity tampered with several leading noblemen in Scotland, particularly, according to his own account, with the Marquis of Athole and Duke of Hamilton. But he privately communicated these proceedings to the Duke of Queensberry. The reality of this Scotch plot was warmly asserted by the Whigs, and strongly denied by the Tories, who represented the whole as a stratagem to ruin the noblemen whom Fraser accused. The House of Peers, in which the former party predominated, took on themselves the task of investigating this matter, and appointed a select committee to examine evidence on the subject. This proceeding gave great offence to the House of Commons, in which the Tories had a majority, insomuch that they presented the following address to Queen Anne.

"Most gracious Sovereign,

"We, your majesty's most dutiful and loyal subjects, the Commons of England assembled, beg leave humbly to lay before your majesty the great and just concern we are under, to see any violation of your royal prerogative. Your faithful Commons believe the administration of the government best secured, when it is left to your majesty, as the law has entrusted it; and have so firm a dependence upon your majesty's affection to your people, and your great wisdom, that they can never apprehend so little danger from any conspiracy, as when the examination thereof is under your majesty's direction. We are therefore surprised to find, that when several persons, suspected of treasonable practices against your majesty, were taken into custody by your messengers, in order to be examined, the Lords, in violation to the known laws of the land, have wrested them out of your majesty's hands; and, without your majesty's leave or knowledge, in a most extraordinary manner, taken the examination of them solely to themselves, whereby a due enquiry into the evil practices and designs against your majesty's person and government may, in great measure, be obstructed. Your loyal Commons do therefore most earnestly desire your majesty to suffer no diminution of that prerogative, which, during your majesty's reign, they are confident, will always be exerted for the good of your people. And we humbly beg leave

to assure your majesty, that, as we are resolved, by timely and effectual supplies, to enable your majesty to carry on the war, which you have so gloriously begun, so we will, to the utmost of our power, support your majesty in the exercise of your just prerogative at home, and the asserting of it against all invasions whatsoever." In answer to which, the Queen said, That she had the satisfaction to find, that the matter which might have occasioned this address was now at an end: That she returned them many thanks for the concern they expressed for her prerogative, and for their repeated assurances of making the supplies effectual, which would be greatly for the honour and the advantage of the kingdom: And that she would be careful not to give way to any invasions of the prerogative of the crown, or of the rights and liberties of the people. To this remonstrance on the part of the Commons, the Lords opposed the following representation, drawn up by the celebrated Lord Somers.

May it please your most excellent Majesty,

WE, your majesty's most dutiful and loyal subjects, the lords spiritual and temporal in parliament assembled, find ourselves under an unhappy necessity of making this our humble application to the throne, upon occasion of an address presented to your majesty by the House of Commons, the twenty-third day of December last, and since that time published to the whole nation in print; by which the House of Lords is charged with the violation of your royal prerogative, and of the known laws of the land; with wresting persons suspected of treasonable practices, and taken into custody by messengers, out of your majesty's hands, without your leave or knowledge, and in a most extraordinary manner taking the examination of them solely to themselves; whereby a due enquiry into the evil practices and designs against your majesty's person and government might in great measure be obstructed. And they conclude their address by most earnestly desiring your majesty to suffer no diminution of your prerogative, and promise to support you in the asserting it against all invasions whatsoever. It is not possible for us to remain silent under this heavy charge, so unjustly, and without the least ground or colour, endeavoured to be fixed upon the whole body of the peers, which, tending directly to create an ill opinion of us in your majesty, puts us under an inevitable necessity of vindicating both the legality and the dutiful manner of our proceeding.

The expressions in the address of the House of Commons are so very harsh and undecent, that we may truly affirm the like were never used of the House of Peers in any age, nor even by that assembly, which, under the name of the House of Commons, took upon them not only to abolish the House of Lords, but to destroy the monarchy. We shall carefully avoid making returns of that kind: We consider too much what we owe to ourselves; and we know too well the profound respect due to your royal person, to let any provocation transport us so, as to use words unfit to be offered by us to our sovereign.

The matter of this address is no less injurious to us than the terms; there was not the least occasion for a just objection to any part of our conduct in that business to which the address relates. The proceeding was strictly justifiable by the known laws and customs of parliament, it was carried on with the utmost respect to your majesty, and with true zeal for the safety of your person and government; all that was done was agreed to by the concurrent opinion of the house, without the least objection from any of our members, who have the honour of serving your majesty in your great offices and employments.

We humbly represent to your majesty, that, by the known laws and custom of parliaments, the House of Peers has an undoubted right, in cases where they conceive it to be for the good and safety of your majesty and the kingdom, to take examinations of persons charged with criminal matters, whether such persons be then incustody or not, and also to order the persons so to be examined to be taken into custody

by your majesty's sworn officers attending the house during such examinations, or to commit them to any other safe custody that they shall think proper; and to restrain others, if they see cause, from having access to, or communication with them: The House of Lords has exercised this right from time to time, as occasions have required, without objection. Our records are filled with precedents which warrant our claim in every part of it, and we presume to affirm to your majesty, That the drawing this right into question at any time, cannot but be of dangerous consequence to the liberties and safety of the people, and to the constitution of the government, as tending to avoid or render in great measure ineffectual the enquiries of parliaments, which are so absolutely necessary, especially where many and great persons are engaged in dangerous designs against the government; or where ill ministers abuse their favour towards the oppressing or enslaving of the people. Your majesty's wisdom and goodness makes us secure at present against all influences of that kind, and we unanimously and heartily pray we may long enjoy the blessing of your reign. But if it happens in future times, that ill men should gain too great a degree of favour with our princes, how easily will it be for them to stifle or defeat all parliamentary enquiries into their crimes? For if the being in prison, or in the hands of a messenger, will protect men from being examined in the House of Lords, or from being put into the custody of the proper officers of the house, during the examination, and debarred from conversing with others, it will certainly be always in the power of favourites to cause those who can be witnesses against them, as well as the accomplices of their designs, to be taken into custody. And if persons in custody are out of the reach of the House of Lords, who are the hereditary counsellors of the crown, and in whom a judicial power is lodged by the constitution, it is not to be imagined that the Commons can pretend to a greater power of examining, committing, or restraining them.

No House of Commons till now has given countenance to this dangerous opinion, which does so directly tend to the rendering ill ministers safe from the examination of parliaments: And we are persuaded no House of Commons hereafter will assert such a notion, because they are not wont easily to part with a power they have assumed; and it is certain, that they have several times taken upon them to exercise an authority like that which they have so severely reflected on in their address.

This consideration gave us the greater astonishment, to find our proceedings represented in the strange terms of wresting prisoners out of your majesty's hands, and taking the examination of them solely to ourselves. We believe the ordering persons to be examined in that high court where your majesty is always present in consideration of law, and in that great council where you may be present in your royal person, as often as you please, will never be thought an exclusion of your majesty from the examinations, if that was intended to be insinuated by saying, we had taking the examinations solely to ourselves. Having thus laid before your majesty what it is we claim, and must insist on, as the indisputable right of the House of Peers, which was never thought in the time of your royal ancestors to be prejudicial to the just prerogatives of the crown, and which is manifestly necessary for the securing of the liberties of your people, whereof we are assured your majesty will have an equal care, we humbly beg leave to lay before you a short state of the particular matter of fact relating to these prisoners, not doubting, but when the whole proceeding is known to your majesty, it will be approved not only as lawful, but every way respectful to your majesty.

On Tuesday the fourteenth of December, the House of Lords was informed, that several persons had been seized by the custom-house officers on the coast of Sussex, as they came from France, and that amongst them there was one Boucher,¹ who was ca-

¹ Boucher was a principal officer in the Duke of Berwick's family. He was condemned for high treason, but, as he persisted in denying any knowledge of the plot, he was reprieved, and died in Newgate without making any discovery.

pable of making considerable discoveries, having been in arms in the French service for many years, and gentleman of the horse and aid-de-camp to the late Duke of Berwick, who stands attainted of high treason, and who had been secretly in England several times before; that it was probable, if he was strictly examined, he might be brought to confess, since he saw his life in apparent danger; but that he was a bold man, and likely to attempt an escape on that very account if he was not carefully looked after; and the house was also told, that there was a general remissness both in the taking, searching, and looking to such prisoners, which did afterwards appear very evidently in the examinations that were taken. Upon this information the Earl of Nottingham, your majesty's principal secretary of state, acquainted the house that he had not heard of Boucher's name particularly, but had sent messengers to bring one Ogilby and the other prisoners who had been apprehended by the custom-house officers to town, and that he believed the messengers would do their duty, but he would not be answerable for them.

After this account of the prisoners, and of what had been done in order to secure them, the house thought themselves obliged in duty to your majesty, and for the publick safety, at a time when the kingdom is engaged in an open war with France, and that there are too just grounds to apprehend the dangerous practices of French emissaries, to make an humble address to your majesty that particular care might be taken for securing the persons of Boucher, and of those who were taken with him, and that none might be suffered to speak with them till they were examined.

The next day your majesty's gracious answer to this address was reported to the house, that care had been taken to secure the prisoners, and that your majesty would give orders that nobody should speak with them till they were examined. Thereupon the lords entered into a farther consideration of the importance of this matter, and conceiving nothing to be more likely to bring prisoners who had forfeited their lives to a full discovery of the truth, than to find themselves under the enquiry of a parliament, they thought it would be of publick service for them to take examinations of these persons, and accordingly an order was made, that no persons should speak with the prisoners, till they had appeared at the bar of the house.

On the sixteenth day the Earl of Nottingham informing the House of Lords that the prisoners were brought to town, the Usher of the Black Rod was ordered to take them into his custody, in order to their examination, and to keep them separate and in close custody, (as your majesty had before directed) and it being thought most proper, from the nature of the thing, that the examination should be by a committee of lords, rather than by the whole house, it was resolved accordingly.

We beg leave to mention to your majesty a matter of fact which satisfied the lords, that their resolution to take the examinations of Boucher, and the persons apprehended with him, was neither unknown nor disagreeable to your majesty. On the same day when that was ordered, being the fifteenth of December, the lords resolved to examine Sir John Maclean,^a a very dangerous person, as was represented to the house, who then stood committed in the hands of a messenger; and for that purpose ordered him to be brought to the house the next day, having, as they then thought, very good grounds to believe it might prove of great service to your majesty. Sir John Maclean was brought to the house, according to the order, but your majesty being pleased so far to take notice of this order, as to signify to the house by the lord steward, that Sir John Maclean had been in part examined already, but that your majesty thought it not proper to have that business taken out of the way of examination it was then in; but that your majesty would in a short time communicate it to the house, the lords

^a Sir John Maclean, chieftain of the clan so named, was the principal agent in the plot. He was prevailed upon to give an account of all that he knew of the negotiations between France and Scotland.

immediately acquiesced in your majesty's opinion, and sent back Sir John Maclean to the place from whence he was brought. It was with this disposition of mind the lords acted in this whole matter, and if your majesty, who, no doubt, had the same notice of both orders, had thought any other method of the examination of Boucher, and the persons taken with him, more proper than that of the lords, they had reason to conclude your majesty would have intimated it at the same time, and most certainly the house would have had a like deference for your royal judgment in that instance also.

The lords committees appointed to examine the prisoners proceeded with all possible dispatch, and made their report to the house on the twenty-first of December; upon consideration of the report the house found it requisite to commit Boucher to the prison of Newgate for high treason, and the lords committees having submitted to the judgment of the house, whether several parts of the examinations referred to in their report, should be laid open to the house, or put into any other way of being farther enquired into, or prosecuted, the house, out of a full assurance they had, that, when the matter of fact should be laid before your majesty, you would certainly give such order thereupon as were every way suitable to your royal prudence, and tender care of the public safety, did unanimously resolve, without so much as suffering those parts of the report to be laid open to the house, that an humble address should be made from the house to your majesty by the lord steward and the Duke of Somerset (two of the lords committees to whom the examination had been referred) laying before your majesty the whole report, with all matters relating thereto, and humbly desiring your majesty to give order, that Boucher should be prosecuted by Mr Attorney-General for high treason, and that as to the commitment, prosecution, or discharge of the other prisoners mentioned in the report, you would be pleased to give such directions as should seem most proper to your royal wisdom. Thus as the whole affair was entered upon out of zeal for your majesty's preservation, and the safety of the kingdom, and was carried on and concluded with all possible respect to you, so we had the comfort to rest assured, that our behaviour was no less graciously accepted by your majesty from the answer you were pleased to make the same day to our last address on this subject, and which was reported to us on the twenty-second of December by the Duke of Somerset, whereby your majesty was pleased to signify to the house, with your accustomed goodness, that you would give order for every thing as the lords had desired.

Madam, this is a true and just account of our proceedings which have been so strangely misrepresented, and to which no exception can possibly be taken by any persons rightly informed. For as we had your royal approbation of all that was done, so the House of Commons could have had no pretence of objection, if they had taken the usual parliamentary methods of desiring to be informed of what we had done, and of the grounds of our proceedings, before they had approached your majesty with such a representation of them.

Their carrying this unprecedented address to your majesty in so hasty a manner, gives us almost as great trouble as the hard usage we find in it. The ancient, known, and indeed only effectual method of preserving a good correspondence between the two houses of parliament has been by conferences. If at any time either house conceived they had a reasonable ground to object against the proceedings of the other, conferences have been desired, and the matter in debate between them fairly discussed, and thereby mistakes have been cleared for the most part, and a good understanding cultivated, and a mutual respect preserved, which is always highly requisite in the nature of our constitution, but more especially necessary in this time of war and danger.

Had the House of Commons thought fit to have pursued this method upon this occasion, we should have been able to have given them entire satisfaction, not only of

the lawfulness of all we had done, but of all the just and weighty grounds upon which we took the examinations of these persons into our own hands; or at least, if they could have convinced us of any mistake, we should have given them any reasonable satisfaction.

But, without taking any such previous step, the House of Commons have made an appeal directly to the throne against the House of Lords, and charged them, though most unjustly, with attempts of the highest nature. Nothing like this was ever done before, and out of our hearty concern for the preservation of our happy constitution, we hope the same thing will never be done again. We know your royal heart is unmoveably fixed on preserving the liberties of your people, and transmitting them entire to posterity; but if in after times the houses of parliament should be appealing against one another to the crown (for if such a course be justifiable in the House of Commons, the same method may be taken by the lords) as your majesty is now sensible how great difficulties it necessarily brings upon a good prince, so it is easy to foresee (and we cannot think of it without terror) how fatal the consequences may be in the reign of an ill-designing prince, and what advantages may be taken from it for utterly subverting the best ordered form of government in the world. There are examples abroad where proceedings of this kind have ended in the overthrow of the liberties of the people, which make us the more apprehend the beginning of them among ourselves. Your majesty's great judgment cannot but readily discern, whither it does naturally tend for one house of parliament to be exciting and earnestly desiring the sovereign to exert a real or supposed prerogative against the other house. It is not easy to imagine what the commons could expect of your majesty from such an application; the lords have never entertained a thought of using this dangerous method, whatever occasions may have been given within the compass of late years. And we promise your majesty we will always endeavour to preserve a good understanding with the House of Commons, and shall never think it too dear to procure that union at any rate, unless that of delivering up those rights and powers which are lodged in us by the law, and without which the constitution cannot subsist.

We shall never be guilty of the presumption of prescribing to your majesty when or against whom you should exert your prerogative, but we will be always ready to assist you in the support of all the just rights of the crown, as well as in maintaining the liberties of the subject, which we know are no less dear to your majesty.

It may with modesty and truth be affirmed, that the lords have in all times been the surest and most natural bulwark of the prerogatives of the crown, they being (as your royal grandfather of ever blessed memory was pleased to express it) an excellent screen and bank between the prince and the people, to assist each against any encroachment of the other.

We will never contribute by any act of ours to the diminution of the rights of the crown, nor as far as we are able will suffer it in others. We cannot act otherwise without hurting ourselves in the highest degree, being thoroughly convinced that the preservation of the legal prerogatives is not only the surest way to secure our own privileges, but for absolute necessity for the happy and rightful administration of the government. And we hope the House of Commons will in all times to come speak and act with that regard to the prerogative which they seem to have taken up lately.

There remains one particular more which we will only name to your majesty, because we rest satisfied it cannot have weight any where, that is the insinuation in the address, as if the examination of these prisoners by the lords was in order to obstruct the enquiry into the designs against your majesty's person and government; or at least that it was likely to produce such an effect. Our dutiful zeal for your majesty's government, and our warm concern to discover all designs and oppose all practices against it, are too well known to the world, that any suggestions of that sort should make the

least impression to our disadvantage; and we are very sure 'twas no suspicion of that nature which gave the true rise to this very sharp address. It is easy to determine whether a hearty and forward undertaking to search into the designs of your enemies, or the seeking occasions to object to, and interrupt such endeavours, be most likely to obstruct the discovery of the pernicious practices of traitors.

Most gracious Sovereign,

We most humbly ask pardon for presuming to give your majesty the trouble of this long representation, which has proceeded from the passionate concern we have to stand not only acquitted, but entirely approved in the judgment of so excellent a queen, and so justly beloved of all her subjects.

We depend upon your justice as well as your goodness, that nothing can do us prejudice (from whatsoever hands it comes) in your royal opinion, while we continue to act in that station where we are placed by the form of the English government according to the laws and customs of parliament, with all imaginable respect and duty to yourself, and all possible zeal for the safety and happiness of your kingdom.

Give us leave to conclude this our humble address with this firm promise, that no dangers, no reproaches, nor any artifices whatsoever shall deter or divert us from using our utmost endeavours from time to time in discovering and opposing all contrivances and attempts against your royal person and government and the protestant succession as by law established.

Her Majesty's most gracious Answer to the Representation.

My Lords,

I AM very sorry for any misunderstandings that happen between the two houses of parliament, which are so inconvenient for the public service, and so uneasy to me, that I cannot but take notice with satisfaction of the assurances you give me, that you will carefully avoid all occasions of them.

I thank you for the concern you express for the rights of the crown, and for my prerogative, which I shall never exert so willingly as for the good of my subjects, and the protection of their liberties.

The humble Address of the House of Commons to the Queen.

The lords having appointed the committee who had examined Boucher upon the subject of the Scottish Plot, to make a farther enquiry into these discoveries, the House of Commons again expressed their discontent in a second address to the queen, which here follows. Upon 31st March, 1703-4, the lords replied by a second representation, accompanied with a list of precedents, to shew, that their conduct had been regular and parliamentary. This address was also drawn up by Lord Somers, and made a great impression upon the public mind. In answer to this last address, the queen said, "That she hoped none of her subjects had any desire to lessen the prerogative, since she had no thoughts of making use of it but for their protection and advantage;

and that she looked upon it as a great misfortune, when any misunderstandings happened between both houses of parliament, which could not be without so much prejudice to the public, that she should never omit any thing in her power to prevent the occasions of them." And thus closed this celebrated controversy between the two houses of parliament.

Most gracious Sovereign,

YOUR majesty having with great goodness declared from the throne to your parliament, that divers ill practices and designs had been carried on in Scotland, by emissaries from France, which might have proved extremely dangerous to the peace of these kingdoms; and that you would lay the particulars before your parliament, as soon as the several examinations could be fully perfected and made publick without prejudice: We your majesty's most dutiful and loyal commons, resting secure and satisfied in your majesty's great wisdom and care, most thankfully acknowledged the confidence you have been pleased to repose in us.

But finding upon the lords journals, that their lordships the very same day made two orders, one to remove your majesty's prisoners out of your custody into their own; and the other to commit their examination solely to a committee of seven lords, chosen and appointed by themselves; by which your majesty seemed excluded from any power over the said prisoners.

Your loyal commons, justly sensible of the dangerous consequences of such proceedings, thought themselves obliged to declare their concern at this violation of your royal prerogative, and the known laws of the land, in an humble address presented to your majesty.

Your faithful commons are well assured, when this matter comes to be rightly stated and understood, a zeal so well intended, and so well grounded, will rather be imputed to them as meritorious, than liable to exception; and therefore, since their humble address has been so artfully misrepresented by the lords in their late representation, presented to your majesty on Tuesday the eighteenth of January, and published and spread with unusual industry through all parts of the kingdom, they look upon themselves under an indispensable necessity of appearing before your majesty in their own justification.

Their lordships think fit to take offence at the manner and words of our address, and accompany this exception with reflections and insinuations more harsh and more odious than the most opprobrious language: But as we made use of no terms but what were suitable to the occasion, so it will appear by precedents, that the same have been frequently and reciprocally used by both houses to each other; nor could the commons, in respect to your majesty, assert your royal prerogative in words of less force than those in which they have vindicated their own privileges.

Whatever expressions our zeal for your majesty and the public might have inspired, we could never have offered to our sovereign so ungrateful a remembrance as the destruction of the monarchy, by a detestable assembly, composed of members of both houses, who, being alike partakers in the guilt, ought equally to share the reproach.

With much more reason might we observe, both on behalf of your majesty and the commons, that their lordships, not contented with preferring their own examinations to yours, not contented with excluding your majesty and the commons, to whom parliamentary enquiries most properly belong, appropriate to their house only, even in their application to their sovereign, the name of a parliament; an instance not to be paralleled, unless by that very assembly that subverted the monarchy.

It is not the question at present, as stated by the lords, whether their lordships have a power of taking into custody, while under examinations, persons accused of criminal

matters, cognizable in parliament? But that their lordships have a right to take the prisoners of the crown, and the examination of them, solely into their own hands, without your majesty's consent, and in such a manner as must necessarily prove an exclusion of your majesty, and this house, is the proposition your commons deny, and for which their lordships have produced no precedent.

This unhappy occasion has been at the same time accompanied with the most surprising instances of contradiction, and counter orders to your majesty, both preceding and subsequent to it; but especially on the twenty-ninth of January last, when your majesty with your accustomed goodness, communicated to the lords the papers relating to the Scotch conspiracy, with an exception only of some matters not yet proper to be made public, without preventing a further discovery of secrets of greater importance, with which your majesty assured their lordships they should also be acquainted, as soon as it could be done without prejudice. However their lordships, upon what provocation, or for what reason, no where appears, immediately addressed to your majesty, pressing you to lay before them the whole matter, and all papers relating thereto; by which your majesty was put under a necessity, either to give their lordships a refusal, or to comply with their unexpected importunity, to the endangering the public service. These proceedings, so extraordinary in their nature and in their manner, could not but sensibly affect your faithful commons, whose earnest desire it is, to see both your houses of parliament, and the whole body of your people, entirely agreed to pay the deference due to your majesty's wisdom, to confide in your care, and to promote and maintain your honour and dignity.

Their lordships, not satisfied with assuming this unprecedented power, have endeavoured, with a great deal of art, to persuade your majesty of the necessity of it, to prevent the designs of ill princes and their favourites: But as it may seem unreasonable for their lordships to begin to practise upon a good prince such methods as are pretended only to be needful against an ill one, so it is our humble opinion, that the danger might be much greater, admitting this precedent. Should the lords combine to defend one another from enquiries and prosecutions, all parliamentary impeachments might be eluded, secret designs carried on, the innocent aspersed without reparation, and the guilty acquitted without trial. Nor is that instance mentioned by the lords an unseasonable caution, since that revolution in a neighbouring kingdom, alluded to by their lordships, was occasioned by the encroachments of a prevailing cabal of lords, who, endeavouring to enslave the people, and to betray their king and their country to a foreign power, obliged the church and the commons to unite in the public defence.

Your faithful commons have found themselves so happy under your majesty's administration, that they please themselves with more agreeable prospects, and, renouncing such examples of unseasonable jealousies and fears, most thankfully receive the blessings of your reign: Nor could they have made a more grateful return for your majesty's generous protection of their liberties, than by a suitable concern for your prerogative.

If their lordships had consulted their own journals, with the same care that we always take to be rightly informed, they would hardly have affirmed, that a direct appeal to the throne, without any previous desire of conference, had been an unprecedented practice: Their books are filled with variety of instances to the contrary; but without examining their books, it seems very surprising, that their lordships could so soon forget their address presented to your majesty the last session, on behalf of the Lord Bishop of Worcester, and their address to the late king, on behalf of William Earl of Portland, Edward Earl of Orford, John Lord Somers, and Charles Lord Halifax, impeached by the commons of high crimes and misdemeanors; and when this house formerly expostulated with the House of Lords, for proceeding in the very same

method of which they now complain, their lordships made a most solemn declaration, in these words:

“ That they must ever assert a liberty in their house, to apply to the throne by themselves, for the doing any thing warranted by law,” &c.

Nor can the lords, we presume, upon second reflection, deny the commons the same liberty, which their lordships themselves have so strongly asserted, and so frequently practised.

Your loyal commons sincerely concur with their lordships, in declaring, That we will never contribute by any act of ours to the diminution of the rights of the crown; and that we will not suffer it in others: Your majesty, their lordships, and the whole world, may judge, from the example we have now given, if their lordships do truly wish the House of Commons may in all times to come, speak and act with that regard to the prerogative, which they allow us the honour to have now taken up: We shall be very unfortunate to continue under their displeasure at the same time, when they seem to hope that those who succeed us will take pattern by us.

We wish their lordships also on their part may continue in all times to come to speak with that regard to parliamentary impeachments, which they seem so lately to have taken up, since we have reason to apprehend, That the misunderstandings which have of late years arisen between the two houses, have been principally owing to the artifices of some particular persons among themselves, whom the commons thought it their duty for the public safety to bring to justice. How much more difficult will all such endeavours be rendered, should their lordships be once admitted sole examiners of accusations against each other; as they are already sole judges.

We are accused, but most unjustly, of exciting and earnestly desiring your majesty to exert your prerogative against the House of Lords: We appeal to the words of our address, if it is possible naturally to impose any such sense upon any expression that is there: We are sorry their lordships should descend so low as to the straining and wresting of words, by which they rather discover an unfortunate inclination to make us seem culpable upon any terms, than that they in truth believe us so: We know how vain and how fruitless an application it would be to excite your majesty to any abuse of your power, which we are convinced you will always exercise for the general good; and so far are your commons from entertaining any such desire, that we heartily wish to see a good correspondence preserved between the two houses; nor would forbear to purchase it at any rate, except the giving up the rights of your majesty, by whom we are protected, and the liberties and properties of the people, by whom we are entrusted.

These few instances, so plain and so uncontestable, we presume will be sufficient, without trespassing much longer upon your majesty's time, to discredit whatever else has been alledged to create in your majesty, and those we represent, an ill opinion of us: We have been careful and industrious to avoid, as far as was consistent with our necessary justification, all occasion of reviving animosities, and how great soever the provocation has been, your majesty having declared how uneasy you are under such misunderstandings, we shall make no difficulty to lay aside our resentments, who shall always be ready to sacrifice our lives and fortunes to your quiet and service; nor can we doubt, but we must stand fully acquitted to the whole world, and especially to your majesty, since the zeal that we have shewn, and the reproaches that we have borne, have been owing to no other cause but the defence of an excellent queen, in whose hands God Almighty has placed the executive authority over these nations; which authority it has been the only endeavour of your faithful commons to preserve as entire as our laws and constitution allow.

May it please your most Sacred Majesty,

It is with the deepest concern, and a grief not to be expressed, that your dutiful and loyal commons have found themselves engaged in disputes of this nature, by which they have been so unseasonably interrupted in finishing the supplies, and other matters of the highest importance: How zealously they have applied themselves to the discharge of their duty, appears from their having already presented your majesty with the greatest part of their aids, with a dispatch and unanimity beyond example; nor could the few bills yet depending have met the least obstruction or delay, but from the indispensable necessity of vindicating your majesty's royal prerogative, the privileges of our own house, and the rights and liberties of all the commons of England, in several instances invaded almost at the same time: We wish there may have been more of mistake than design in those who have created these unhappy differences: However, we desire the remembrance may be henceforth blotted out, and that there may remain no other impression in the hearts both of lords and commons, than a sincere and passionate concern for your majesty's welfare and glory; nor any other contention ever hereafter arise, but by whom the public good shall be best advanced, the protestant religion and the church of England best secured, and the just rights and prerogatives of the crown be supported.

An Account of the Scotch Plot. In a Letter from a Gentleman in the City to his Friend in the Country. Printed 1704.

Mr Laing gives the following account of Lovat's plot:—"The courts of France and St Germain's were not inattentive to these transactions. Among other emissaries, Simon Fraser was employed in Scotland; a man of low cunning and assentation, but of a flagitious and desperate character, who claimed the honours and estate of Lovat. He had fled from justice for a rape on the late Lord Lovat's widow, whom, to secure possession of the estate, he had forced to consummate a pretended marriage; but her brother the Marquis of Athole's influence intercepted a pardon. On becoming a proselyte to the catholic religion, his extravagant proposals were embraced and recommended by the exiled queen. He obtained a private interview with Louis, and assured de Tory, that if five thousand French troops were landed at Dundee, and five hundred at Fort William, the Highland chieftains, from whom he was commissioned, would appear in arms with ten thousand men. The assurances of an unknown adventurer were not hastily credited, and he was dismissed with a gratuity to procure credentials from the clans. On his return to Scotland, he was introduced to Queensberry, whom the Jacobites had just deserted in parliament, by Argyle and Leven, whose protection he enjoyed as an useful spy. Tarbet, created Earl of Cromarty, Seafield, and Athole, had abandoned the court party, though officers of state; and as the last had introduced the act of security, the commissioner listened with avidity to whatever Fraser's invention or resentment suggested. He affirmed that Cromarty, Hamilton, and Athole, his personal enemies, were engaged in a clandestine correspondence with the court of St Germain's; and to confirm his information, produced a letter from the exiled queen, which was intended for the Duke of Gordon, but directed to Athole by Fraser himself. As the evidence was still defective, he was permitted to range through the Highlands in quest of intelligence, and furnished for the same purpose with passports and money to return to France. "But Ferguson, a more experienced plotter, whom he met in London, discovered and communicated his designs to Athole, who complained loudly to the queen that a fictitious plot was contrived for his destruction.

"Fraser, on his return to Paris, was imprisoned in the Bastille; but in a few years was restored to liberty, and his services, on the accession of the Hanoverian family, recovered the titles and estate of Lovat.

"At the age of fourscore he was destined to suffer on the scaffold, for his concern in the rebellion to restore the Stuarts; but whatever his character or his crimes might be, the humanity of the British government incurred a deep reproach, from the execution of an old man on the very verge of the grave."

Lovat wrote a strange boasting extravagant book, entitled his *Memoirs*, which were published 1797. In this work he pretends that he was all along a faithful adherent of King James, and that his pretended discovery to Queensberry was a mere romance, not intended to injure any real adherent of the Stuarts, but only to ruin the Dukes of Athole and Hamilton.

"Lord Lovat, therefore," to use his own words, "made to the Duke of Queensberry this pretended discovery, which had no foundation in any thing he knew upon the subject, except in the groundless assertions of a few Jacobites, attached to the party of the Duke of Hamilton and Lord Athole. He assured his excellency that these two noblemen were the most faithful friends and servants of King James; that Mr James Murray had brought them over commissions from the court of St Germain's; and that they had promised to take up arms at a very early period, and to put themselves at the head of the whole Jacobite party, in order to restore the king; that his excellency might assure Queen Anne that this was the real state of the case."

The author of the following Tract endeavours to establish the same conclusion, that the accusation, viz. was false, upon very different premises from what his lordship would have admitted. He argues, that the infamy of Lovat's character, a man convicted of the foulest crimes, rendered him incapable of bearing out any charge depending upon his evidence.

SIR,

I have, according to your desire, made an enquiry into the Scotch plot so much talked of. I have conversed with several persons of quality of that kingdom about it, and find them not well pleased, that so many here should charge a plot upon their whole nation for the sake of a few. They think this so much the harder, because Captain Simon Frazer of Beaufort, the principal manager of this plot, is a person guilty of most notorious crimes, and is condemned to death in Scotland for a barbarous rape; yet this man has been countenanced by great persons in that government, and here-says from him alone are made use of against some of the greatest families in that nation, who prosecuted him, or appeared for having justice done upon him according to law for his villainous and horrid crimes, as I shall acquaint you more at large anon, after giving you a short narrative of what I have learned concerning the plot.

Captain Frazer above mentioned having fled from justice twice, at last went over to St Germain's, and, as Sir John Maclean has declared upon oath, turned papist, and was introduced to the French court by the pope's nuncio. There he solicited an invasion upon Scotland, and gave them assurance that several people of note would join their troops: But the French king willing to be sure of that, before he would trust him, ordered him back to Scotland, with one Captain John Murray, and Major Frazer, a papist, who had served several years in his army.

Captain Frazer arrived accordingly in Scotland last summer, having received five hundred pistoles from the French king, and though a condemned criminal, as above-mentioned, and that he had likewise forfeited his life again by his correspondence with the courts of France and St Germain's, yet he was privately introduced by the late Duke of Argyle and the Earl of Leven to a great minister of state there, while the parliament was sitting, and received from the said minister 200 guineas, with a pass and protection. Being thus furnished, the captain and the major went to the Highlands. He endeavoured to meet with several heads of clans there, but they refused to meet or converse with him, till he sent to shew them before-hand the pass and protection granted by the mi-

nister of state, and at the same time he shewed them his commission and instructions from the pretended King James VIII. (as they call him in Scotland) dated at St Germain, and by this means he seduced and trepanned several of her majesty's subjects into designs against the government. The Duke of Athole, brother to the lady whom he had ravished, hearing that Captain Frazer was in Scotland, complained of it, and at the instance of the injured lady, the council issued a commission of fire and sword against the captain in September last (the Lord High Commissioner being present) forbidding the subjects to converse with him, and ordering the sheriffs and officers of the army to pursue and apprehend him dead or alive. Notwithstanding this, he found means to return to Edinburgh, where he procured another pass from the Duke of Queensberry to carry him to London, where he arrived in October last, and there met privately with the said Duke of Queensberry, John Campbell of Glenderoul, Mr Keeth, and others, and then the said Duke of Queensberry procured a pass for the said captain and major, and two more, to go beyond sea. Since that time several letters have been intercepted from the captain, one from Holland to the said Duke of Queensberry, and one from Paris to the said Earl of Leven, with several others to Colin Campbell of Glenderoul, now in custody at London, and one to Captain Maccleod, an officer of the guards in Scotland, all which, it's hoped, will in a little time be made publick. When the captain went beyond sea last, he received bills for 100 and odd guineas, which Campbell paid unto Mr Corsbussiere, a merchant, who has owned the sending of the said bills, upon examination. Some papers that Frazer left in the custody of Thomas Clerk, an apothecary, have been since discovered, amongst which is found a colonel's commission from the pretended King James VIII. to the said Simon Frazer, and two forged bonds from the late Lord Lovat in Scotland for considerable sums to him: Of which you shall have a further account anon.

That which relates more particularly to the Duke of Athole and his friends is thus: The said Colin Campbell and Captain Maccleod have declared upon examination, That they heard the said Captain Frazer say, that the said Duke of Athole and his friends designed to send some persons as their agents into France.

The first notice the Duke of Athole had of this design against himself and his friends, was sent him from Mr F—n on the 25th of November last, importing that there were most pernicious designs carrying on against her majesty and the government, together with a wicked contrivance to ruin his grace and his friends by means of Captain Frazer, and witnesses of his procuring. The duke immediately acquainted the government with it, who sent for Mr F—n that informed him, and what that gentleman said upon his examination has been since confirmed by the intercepted letters abovementioned.

But that you may fully understand the character of the captain, and the cause of his inveterate malice against the Duke of Athole and his friends, take this short history of it as follows.

Captain Frazer was a cadet of the family of Lovat, but had no manner of estate. The late Lord Lovat knowing the meanness of his circumstances, recommended him to the Earl of Tullibardin, now Duke of Athole, for a lieutenant's post in the regiment the earl had then in King William's service, about 1694, which the earl readily agreed to; but soon after the captain wrote seditious letters, dated in Jan. 1695, one of them triumphing at the death of the late Queen Mary of glorious memory, and the other expressing his hopes that King William would die next year, which letters being sent the earl by some of his friends, some time after, he could not but in abhorrence of the captain's villainy acquaint his majesty with it, who thereupon gave the earl orders to turn him out of his regiment, which was done.

In 1696, the Lord Lovat above mentioned died, leaving behind him four daughters by the Duke of Athole's sister, the eldest of whom, by unquestionable title, fell heir to

the honour and estate, but Thomas Fraser and the said Captain Simon his son pretending to be the next heirs male, assembled some loose men of the name to seize the estate, and committed some violences and devastations upon it, but being sensible they had made themselves obnoxious by this illegal attempt, they agreed, in order to prevent prosecution, to sign a renunciation of all their alledged pretensions before the Lord Salton and other witnesses, and sent the same to the Earl of Tullibardin, now Duke of Athole, who was then at London, and principal secretary of state for Scotland.

But notwithstanding this renunciation, the captain attempted again to possess himself of the estate in the following manner. He assembled a great many loose men of the name, and marched with them in arms to the Lady Dowager of Lovat's jointure-house of Castle Downie, and in his way met Lord Mungo Murray, the lady's brother, and the Lord Salton above-mentioned, coming from paying a visit to the said lady. He immediately seized and dismounted the said lords and their servants, carried them prisoners to a neighbouring house, where he set guards upon them, and erected a gallows, threatening to hang them if they would not persuade the lady dowager to marry him, (by which he thought to possess the estate himself, and to convey it to his own issue male if he had any, in exclusion of her daughters.)¹ This they absolutely refused, and he leaving them under a barbarous guard, marched on to Castle-Dounie, where he surprised and imprisoned the lady, and upon her absolute refusal to marry him, made his barbarous crew cut off her stays, &c. with their daggers, and putting her to bed by force, committed a villainous rape upon her; the grief of which made her lose her senses for some time. He kept the lady in that deplorable condition, until the late Marquis of Athole her father, and the government, sent forces to rescue her from the said captain, who continued in rebellion, notwithstanding his being summoned by a herald to lay down his arms; but being forced to it at last, the lady was delivered to the Lord Forbes, and the captain not daring to abide trial, fled. Upon this the council of Scotland and high court of justiciary there declared him rebel, fugitive, and outlaw, and

¹ Lovat gives a very different and boastful account of this matter, in his Memoirs.—“ Lord Salton and Lord Mungo Murray, with their train of attendants, issued from the wood, at the moment the Master of Lovat was about to enter it. Upon sight of them he drew a pistol from his belt, and a very brave gentleman of his party, by name William of Erchette, who was behind the master, observing this action, without uttering a word, levelled a carabine, which he had upon his horse, at Lord Salton, crying out, “Stop, traitor, you shall pay with your hide your irruption into this country in hostility to our laird.” At these words they all stopped short.—The Master of Lovat instantly spurred his horse into a slight gallop, making towards Lord Mungo, mounted upon a very fine horse, the property of the late Lord Lovat, his brother-in-law; instead of firing his pistol, dropped his bridle from his hand, and exclaimed aloud, “My dear Simon, and is this the termination of our long and tender friendship! Grant me my life.” The master replied; “You are a base coward, and deserve no quarter, but I give you your life:” And saying this, he disarmed him in a moment of his pistols and his sword. No sooner was this done, than, turning round, the Master of Lovat perceived one of his attendants in the very act of discharging the contents of his carabine at the distance of only three inches, into the body of Lord Salton. Simon immediately threw himself before his attendant, and called to him with all his might not to fire.—Thus his generosity saved in one day the lives of two noblemen, who the very night before had conspired his destruction, and who had formally broken to him their words of honour. Since, however, the two lords had more than forty horsemen behind them in the road, the Master of Lovat gave orders to all the gentlemen of his party, to present their carabines to the breasts of Lord Salton, Lord Mungo Murray, and the persons who were already come up, and to fire upon the first person who moved hand or foot, while he alighted from his horse, and disarmed the remainder of the troops as they arrived. In this manner the Master of Lovat took from the enemy more than forty pair of pistols, together with a number of swords, without the smallest resistance from any individual, except the valet de chambre of Lord Salton, who was a lowland Fraser, and who would not give up his arms, till the master struck him a blow upon the head with the flat side of his sword.—In the mean time the nine persons of whom the master's troop was composed, were insufficient to guard above forty persons with their horses, to the house where the Master of Lovat resolved to hold them in durance. He therefore dispatched one of his company to muster the infantry of the province, which is constantly well armed and equipped, and animated with the most incredible zeal in the service of their chief. They assembled in crowds; and Lord Lovat himself soon arrived, together with almost every person who lived for some miles round; so that in less than six hours, Lord Lovat and his son mustered between six and seven hundred brave Frasers, completely armed, under the walls of Fanellan, which was the seat to which the master caused the two lords and all their attendants to be conducted.”

issued a proclamation, offering 6000 merks to any that should apprehend him. He absconded for a time, but in 1700 or 1701, procured King William's pardon for his rebellion, and other public crimes, but not for the rape. This remission being of an extraordinary nature, the principal secretary of state refused to countersign it, but the under secretary did it at the instance of Mr Carstairs, one of his majesty's Scotch chaplains, then attending him in Holland.

Upon this the captain returned to Scotland, but the injured lady, by the assistance of her father, and the now Duke of Athole her brother, pursued him again, and that the captain might have no pretence to abscond, all former sentences were suspended during the trial. The lady appeared in court, and publicly demanded justice, the captain was called three times, according to form, and though in town at the time, fled again, upon which the court condemned him, and issued out orders to apprehend him, which fully satisfied the nation of his guilt. It is to be observed, that at the same time the captain procured his remission, he forged a deed and two bonds for considerable sums from the late Lord Lovat to himself, making over the estate to the said captain, in prejudice of the said lord's own daughter, which, had his lordship been inclined to do, he could not, his lordship's father, by a previous settlement, having entailed the estate upon daughters, failing issue male, and when this deed and the said bonds were produced to one of the lords of the session or judges, the said judge did presently discover the forgery, upon which the captain took them out of his hands, and never made more use of them.

Thus, sir, you may judge, whether the Duke of Athole and his friends have not reason to complain, That contrary to the laws of Scotland, which make correspondence with rebels criminal, such countenance and encouragement should be given, especially by men of dignity and high posts, to such a man as Captain Fraser, or that any credit should be given to his accusation; or to witnesses procured against the duke and his friends, by a person whom they had justly prosecuted to sentence of death, and who is evidently guilty,

Of disloyalty to a prince, whose bread he eat, and whose commission he bore.
 Of robbery.
 Of assaulting, imprisoning, and threatening to hang persons of quality.
 Of a barbarous rape upon a noble lady.
 Of open rebellion.
 Of forgery.
 Of turning papist. And
 Of repeated and continued treasons against the queen and his country.

An Account of Captain Simon Frazer of Beaufort, who has been carrying on a Plot in the Highlands of Scotland against the Government: And, at the same Time, was engaged in another wicked Design, to suborn Witnesses against several great Families in Scotland, as if they were in a Correspondence with the Courts of France and St Germain. Printed 1704.

This piece has the same tendency as the preceding, to throw discredit on the Scotch plot of

1702, by exposing the character of Lovat, the principal witness. On the subject of the alleged rape, Lovat endeavours to exculpate himself, by using the following arguments *ad absurdum*: "During the whole transaction, the Master of Lovat had remained at a distance from the dowager, at the house where his prisoners were confined; and those persons who were sent to Beaufort were guilty of no sort of disrespect to her person. In the mean time, out of this natural and temperate procedure, unaccompanied with either attempt or design against the dowager, Lord Athole and his son created that chimerical monster of rape and violation, with which they blackened the character of the master and his friends. It was impossible indeed to do other than praise the action, by which he had made himself master of the person of the lords, who had come with a design of expelling him from his inheritance. Meanwhile, the whole country knew that the Master of Lovat, at the age of about twenty years, well educated, at the head of an ancient house, and of a brave and respectable clan, might have aspired to any match in the kingdom. Indeed he ranked among his ancestors, on the female side, three daughters of the royal house of Stuart, together with the daughters of the most ancient peers and the first nobility of Scotland. He had no reason therefore to commit the smallest violence upon a widow, who was old enough to be his mother, dwarfish in her person, and deformed in her shape, and with no other fortune than a jointure of two hundred and fifty pounds a year, which itself was dependent upon his good pleasure as Master of Lovat. Add to this, that the whole north of Scotland was conscious that this pretended rape was a mere calumny; a ridiculous chimera, invented by the Marquis of Athole for the ruin of the Master of Lovat. It is also notorious that the dowager herself, since the prosecution was commenced against the master for a crime that he never so much as imagined, and that it would strike him with horror to commit, even with a female of the meanest condition, has declared to more than a hundred persons, that her father and her brother were extremely to blame to accuse the master of this crime; that he had never failed of paying her every proper respect; and that she loved and esteemed him, having been brought up with him in the same house, the late Lord Lovat, his cousin, having always regarded him as his child."

But these allegations of his never having approached the person of Lady Dowager Lovat, are altogether at variance, not only with the evidence in the case, but with a letter from Simon's father to the Earl of Argyle, beseeching his assistance, and representing his son as married to the dowager, with her own consent. "We have gained a considerable advantage by my eldest son's being married to the Dowager of Lovat; and, if it please God they live some years together, our circumstances will be very good. Our enemies are so galled at it, that there is nothing that malice or cruelty can invent, but they design and practise against us: So that we are forced to betake us to the hills, and keep spies at all arts; by which, among many other difficulties, this is one of the greatest, that my daughter-in-law, being a tender creature, fatigue and fear of bloodshed may put an end to her, which would make our condition worse than ever. They'll have us impeached for a convocation, and making prisoners of the Lord Salton, Lord Mungo Murray, with half a dozen more gentlemen, for which we were charged by the sheriff, appeared before him, were fined, obtained a discharge of our fines, and secured peace."

"Also they'll have my son and his complices guilty of a rape, though his wife was married to him by a minister, and they have lived always since as man and wife. My lord, if all our enemies had descended to the blackest cell in hell, and there had studied the most wicked and cruel revenges their malice or that place could invent against us, it needed not surprise any, considering that their design of appropriating the estate and following of Lovat to themselves is made liable to more difficulties by that match."—CARSTARES' *State Papers*, p. 434, 5.

As to the want of motive for so horrid a crime, it can only be alledged, that some of the most abominable actions which disgrace humanity have been committed under circumstances which rendered them equally improbable.

CAPTAIN Frazer was a cadet of the family of Lovat, but had no manner of estate, his father having only a lease of a piece of land called Beaufort, belonging to the said family, to maintain himself and his children. The late Lord Lovat, knowing the meanness of their circumstances, recommended the captain to the Earl of Tullibardin, now Duke of Athol, for a lieutenant's post in the earl's regiment that he had then in King William's service, about 1694. The earl, on the recommendation of the Lord Lovat,

who was his brother-in-law, readily agreed to this; but soon after the captain wrote seditious letters, dated in January 1695, one of them triumphing at the death of the late Queen Mary of glorious memory, and the other expressing his hopes that King William would die next year; which letters being sent to the earl by some of his friends some time after, he could not but in abhorrence of the captain's villainy acquaint his majesty with it, who thereupon gave the earl orders to turn him out of his regiment, which was done.

In 1696, the Lord Lovat above-mentioned died, leaving behind him only four daughters by the Duke of Athol's sister, the eldest of whom, by unquestionable title, fell heir to the honour and estate; but Thomas Frazer, and the said Captain Simon his son, pretending to be the next heirs male, assembled some loose men of the name to seize the estate, and committed some violences and devastations upon it, but finding they could not come at it by law, and being sensible they had made themselves obnoxious by this illegal attempt, they agreed, in order to prevent prosecution, to sign a renunciation of all their alledged pretensions before the Lord Salton and other witnesses, and sent the same to the Earl of Tullibardin, now Duke of Athol, who was then at London, and principal secretary of state for Scotland.

But notwithstanding this renunciation, the captain attempted again to possess himself of the estate in the following manner. He assembled a great many loose men of the name, and marched with them in arms to the Lady Dowager of Lovat's jointure-house of Castle-Downie, and in his way met Lord Mungo Murray, the lady's brother, and the Lord Salton above-mentioned, coming from paying a visit to the said lady. He immediately seized and dismounted the said lords and their servants, carried them prisoners to a neighbouring house, where he set guards upon them, and erected a gallows, threatening to hang them if they would not persuade the lady dowager to marry him (by which he thought to possess the estate himself, and to convey it to his own issue male, if he had any, in exclusion of her daughters.) This they absolutely refused, and he, leaving them under a barbarous guard, marched on to Castle-Downie (the lady's jointure-house) where he surprized and imprisoned the lady, and upon her absolute refusal to marry him, made his barbarous crew cut off her stays, &c. with their daggers, and putting her to bed by force, committed a villainous rape upon her; the grief of which made her lose her senses, so that next morning she did not know her brother Lord Mungo, who was admitted to see her. The distressed lady, and the above-mentioned lords, though they would never consent to the marriage, yet submitted so far to his barbarous force, in order to get out of his hands, as to sign some papers, obliging themselves to use their interest to procure him a pardon for what he had done, and to get back the renunciation above-mentioned; but when they had signed the papers, he broke his oaths and promises to set them at liberty; and kept the lady in that deplorable condition, until the Marquis of Athol her father, and the government, sent forces to rescue her from the said captain, who continued in rebellion, notwithstanding his being summoned by a herald to lay down his arms; but being forced to it at last, the lady was delivered to the Lord Forbes, and the captain, not daring to abide trial, fled. Upon this the council of Scotland, and high courts of judicatory there, declared him rebel, fugitive and outlaw, and issued a proclamation, offering 6000 merks to any that should apprehend him. He absconded for a time, but in 1700 or 1701, procured King William's pardon for his rebellion, and other publick crimes; but not for the rape. This remission being of an extraordinary nature, the principal secretary of state refused to countersign it; but the under-secretary did it, at the instance of Mr Carstares, one of his majesty's Scots chaplains, then attending him in Holland.

* This pardon was granted through the interest of the Earl of Argyle, who hated the family of Athol.

Upon this the captain returned to Scotland, but the injured lady, by the assistance of her father, and the now Duke of Athol her brother, pursued him again for the rape; and that the captain might have no pretence to abscond, all former sentences were suspended during the trial. The lady appeared in the high court of justiciary at Edinburgh, and publickly demanded justice. The captain was called three times according to form, and though in town at the time, fled again; upon which the court condemned him, and issued orders to apprehend him, which fully satisfied the nation of his guilt, and of the falsehood of the calumnies he had spread against the family of Athol.

It is to be observed, that, at the same time the captain procured his remission, he forged a deed and two bonds for considerable sums from the late Lord Lovat to himself, making over the estate to the said captain, in prejudice of the said lord's own daughter, which, had his lordship been inclinable to do, he could not; the late Lord Lovat, his father, by a previous settlement, having entailed the estate upon daughters failing issue male; and when this deed and the said bonds were produced to one of the lords of the session or judges, the said judge did presently discover the forgery; upon which the captain took them out of his hands, and never made more use of them.

After this second trial Captain Frazer did abscond, and never after durst appear in Scotland, from whence it seems he went to France, and turned papist, to get an interest in the French court and at St Germain's, and returned again to Scotland last summer, by order of those courts, where he did negotiate their affairs, did converse with, was countenanced and protected in Scotland by the Duke of Queensberry; but the friends of the lady hearing of his being there, did apply to the council, and got new orders to seize him. Accordingly a commission of fire and sword was issued out against him in September last, where the Duke of Queensberry was present in council, to apprehend him dead or alive, and declaring it high treason to converse with or reset him, in the terms of several acts of parliament, particularly the 12th parliament of King James VI. cap. 144, wherein all persons are ordained to do their utmost to apprehend intercommuned and outlawed persons under the pains due to rebels.

This act is renewed in the fourth session of the first parliament of William and Mary, cap. 33, as to all persons that are known to be intercommuned and rebels.

And, besides, though the said Captain Frazer had been a free subject, yet the person that employed him is guilty of high treason another way; for Frazer's coming from, and being sent back to St Germain's, or corresponding there by him, or any manner of way, is high treason, as appears by 17 acts 7 session of King William; and, being now the time of war, the sending him and three other sons to France, doth aggravate the treason, the last being made in the time of peace; by all which it is evident, that Frazer and his accomplices, who were acting a double game, are doubly guilty of high treason.

Upon 3d September, 1698, he writes to Mr Carstares,—“ I had almost forgot to say my opinion in relation to Captain Fraser. Since he by his offer of referring all to the lady's oath, and listing himself to answer all which can be alledged of barbarity, rudeness, or call it what they please, towards the lady, and since this was what gave countenance hitherto to the severities used to him and those of the name, I think the government should not push that of the convocation too far; and that often Highlanders are used to gather together upon slight grounds; and that he had no design against the government. The king cannot do a more acceptable thing to the generality than send him his pardon for the convocation: As to what else, he will stand his trial. If Tullibardine be allowed to go on, and that if he be not stopt as I propose, I protest I believe it may occasion a deal of bloodshed; for if one begin, all the Highlands will in ten days fly together in arms: And if my advice be took, I shall undertake there shall not be the least disturbance.”—CARSTARES' *State Papers*, p. 33.

A paragraph of the letter above mentioned.

“ Beaufort, January 12, 1695.

“ Tell Sir Robert, That I hope he'll pledge me a bumper ; that I am drinking in Q. M. ' dridge.

“ Sic subscribitur,

Directed to Thomas Frazer.

“ SIMON FRAZER.”

A paragraph of another letter.

“ Beaufort, January 12, 1695.

“ I doubt not you will be in mourning for Queen Mary, but I am resolved to buy none till K. W. dies, which perhaps may serve for the next summer suit, and I hope you will give me a hat and gloves.

“ Sic subscribitur,

“ SIMON FRAZER.”

A true Copy of the Depositions taken by Order of the Lords of Secret Council, before the Lord¹ Justice General, and other Lords of Justiciary, in the Crimes of Rebellion and Violence, committed by Captain Simon Frazer, upon the Person of my Lord Mungo Murray, Son to John Marquis of Athol, and on the Person of my Lord Salton ; and of the horrid Rape committed upon the Person of Lady Emillia Murray, Lady Dowager of Lovat, and Daughter to the Right Honourable the said John Marquis of Athol, in her own House of Castle-Dounie, some short Time after her Husband my Lord Lovat's Death : The said Captain Simon Frazer being a Person who all his Life had been maintained by the said Lord Lovat and his Father's Charity. Which Depositions are all extant in the Records of the Justice Court in Scotland, and subscribed by the Witnesses and the Lord Justice-General himself.

Alexander Frazer younger of Balnean, aged twenty one years, examined,¹ purged and sworn, depones, That he was present at Fanellan, when he saw the Lord Mungo Murray, and the Lord Salton, brought prisoners there, and made close prisoners there in several rooms, with centinels put on them ; and that they were brought prisoners there by Captain Simon Frazer ; and that when they came to Fanellan, a house belonging to the Laird of Kinaries, the doors were shut close, and they forced them up, and put a garrison of armed men in the house. Depones, That he saw at Fanellan, about two or three days after the Lord Saltoun, &c. was brought prisoner, about two or three hundred men in arms, under Captain Frazer's command, and saw him muster them there, and that they had arms, such as guns, swords, pistols, targets, &c. Depones, That about seven or eight days after the Lord Saltoun was made prisoner, he was at Castle-Downie, where he saw the Lady Lovat, and that he saw a number of armed men within the house, and centinels at the gate, and that he saw Captain Simon Frazer about the same time there. Depones, He saw centinels sitting on the threshold of my lady's chamber door, and that they continued there for a night, after which time the deponent went away. Depones, He saw parties sent from Fanellan to Castle-Downie to and fro several times. Depones, That after the Lord Saltoun and Lord Mungo Murray were brought prisoners to Fanellan, he saw a gallows standing before the windows, where the said two lords were kept close prisoners, which was not there the day they were brought prisoners. Depones, That about nine or ten days after the Lord Saltoun and Lord Mungo Murray were taken prisoners, he did see one

¹ Her dirge, or funeral cup.

² i. e. Chief Justice.

³ Took an oath, That he did not swear out of favour to one, hatred to another, or for any bye end.

night at Castle-Dounie, Captain Simon Frazer and Mr Robert Monro, the minister at Castle-Dounie, and being desired by Captain Leonard Robertson of Straloch, to get him notice of my lady's condition, he went to my lady's chamber door, and heard her sighing and moaning, and it was then about the ¹ reike of day, and that he heard the pipes playing in the dining-room next to my lady's chamber. The same night he saw my lady's two women in another room, with centinels set upon them, and the two women weeping; and this was about midnight he saw them. And this is the truth, as he shall answer to God. *Sic subscribitur*, Al. Frazer. Lothian, I. P. D.

Thomas Frazer of Gortulig, aged thirty years, married, purged and sworn, depones, That about the beginning of October, Captain Simon Frazer and the deponent coming from Inverness, and the Lord Saltoun and the Lord Mungo Murray from Castle-Dounie, there having met them in the wood of Moncreive some armed men, when they were met together, they did make up thirty or forty foot, beside horse, all in arms, where the Lord Saltoun and Lord Mungo being riding peaceably, Captain Simon gave orders to his company, to take my Lord Saltoun either dead or alive, and accordingly came up close to my Lord Saltoun and Lord Mungo, and assaulted them with ² bended pistols, and commanded them to render themselves prisoners; my Lord Saltoun asking for what cause, he answered, "Because it was his pleasure." And the deponent did see Captain Simon and his party, dismounting and disarming the Lord Saltoun and Lord Mungo, and all that were with them, and threatening them, the foot having guns presented, and ³ durks drawn, and the horsemen pistols cocked, and thereafter they were set on country horse instead of their own, with guards in arms surrounding them, and carried them in that posture to Fanellan, where they were made close prisoners in several rooms, and centinels put upon the rooms, and a guard kept in the house, where they stayed four or five nights. Depones, That immediately thereafter, he heard the ⁴ fire cross was sent through the country, to convene the men, and accordingly the next night, there convened at Fanellan, about three or four hundred men with guns, swords, and pistols, and pipers: And depones, That they were all commanded by Captain Simon, and under him, by their several under-leaders. Depones, That there was a considerable party sent from Fanellan, to my Lady Lovat's house at Castle-Dounie, and that parties were from time to time relieved, and there were centinels put upon several rooms of the house, and particularly upon my lady's chamber, and that he saw Captain Simon there, and that he was the person that gave the orders. Depones, That he saw the Lord Saltoun and Lord Mungo carried prisoners to the Isle of Egies, where they were kept prisoners with a guard of fifty or sixty men in arms. And this is the truth, as he shall answer to God. *Sic subscribitur*, T. Frazer. Lothian, I. P. D.

William Frazer of Kilbokie, aged forty years, married, purged and sworn, depones, That in October last, the deponent came to the house of Fanellan, where Captain Simon was with two or three hundred men all armed, who had convened there upon a fire cross, which was sent by Captain Simon's order through the country, and it was the third day after the Lord Saltoun and Lord Mungo were taken prisoners: And the deponent saw them there, and guards and centinels upon them as prisoners; and likewise saw a gallows erected over against the windows of their chambers: And the deponent having asked at Captain Simon what that meant, he answered, "That it was to terrify the Lord Saltoun and Lord Mungo." Depones, That he was present when the said lords were carried prisoners from Fanellan to the Isle of Egies, where they were detained prisoners by the said Captain Simon's command. Depones, That before the deponent went first to Fanellan, he was at Castle-Dounie, my Lady Lovat's dwelling, where there was a party of upwards of three or fourscore of armed men, and saw them

¹ Dawning. ² Cocked. ³ Daggers. ⁴ A signal by a burning stick, carried on a pole, to alarm the country.—*Orig. Notes.*

keeping guard at the gates, and Captain Simon was there, and gave them orders as commander.

Robert Spence ¹ in Suddie, aged twenty four years, married, purged and sworn, depones, That Captain Simon Frazer having carried my Lady Lovat alongst with him from Kirkhill, and having heard that there was a party of red coats, with Lord James Murray and some gentlemen, coming to rescue my lady, Captain Simon did send word through the country, to raise the fire cross, to warn the country to come for their defence. Depones, That when my lady left Captain Simon, there ² would have been about two or three hundred men in arms with him. And this is the truth, as he shall answer to God. *Sic subscribitur*, Robert Spence. Ad. Cockburn, I. P. D.

Mr George Frazer, sub-principal of the College of Aberdeen, purged and sworn, depones, That when my Lord Saltoun, Lord Mungo Murray, and others, were made prisoners, the time ³ libelled, he was one of the company, and that Captain Simon commanded the party that apprehended them, which consisted of fourteen horse, and fifty foot, or thereby, all armed with swords, pistols, and guns; and one of them, called *Hutcheon Oig*, came up with a ⁴ bended pistol on my Lord Saltoun, and desired them to render, and dismounted them, and put them on little horses, and carried them prisoners to Fanellan, and kepted them there prisoners under guards by the space of six days, and that there was a gallows put up, and there was a convocation of men in arms, sometimes to the number of three or four hundred men in arms, with colours displayed and pipers playing. And this is the truth, as he shall answer to God. *Sic subscribitur*, George Frazer. Lothian, I. P. D.

Mr Leonard Robertson of Straloch, aged 44, *solutus*, purged and sworn, depones, That upon the sixteenth of October last, being Saturday, he came to Inverness, and was there informed, that the lady dowager of Lovat was under restraint at Castle-Dounie; whereupon he repaired to that place, and after some difficulty made, got access to my lady, who acquainted him with the proposals that Captain Simon Frazer had made to her; and entreated the deponent to persuade the Lord Saltoun, and her brother Lord James Murray, to ⁵ condescend to the terms; which the deponent undertook: And having returned to Inverness, prevailed with them to sign the articles for her own and Lord Mungo's liberation, and brought them back to Castle-Dounie on Tuesday, to get my lady's hand to them. Which being done, the deponent expected nothing but that my lady was fully at liberty. But when he was conveying her to her horse, they were both stopped at my lady's chamber-door, and there was a chair and a centry set at my lady's door, and all the rest of the centries doubled; and the deponent himself, after some time, was put under a guard of centinels, and was so detained under restraint till the next day at ten of the clock; that complaining to Captain Simon, the deponent was permitted to pay a visit to my lady, whom he saw in a very disconsolate condition, and softly spoke in his ear, For Christ's sake take me out of this place either dead or alive, and that he observed my lady's face all swollen, and she fell in a ⁶ sownd the time the deponent was with her, and the lady suspecting that he had not fully heard what she had spoken to him, sent her servant Mrs Mackbryar with commission to repeat the same words to him, which she did. And the deponent thinks Captain Simon had at least three hundred men with him at that time, all well armed, in and about the house of Castle-Dounie, and that he heard at the time some person lamenting, and the bagpipe played about the same time, but knows not whether it was to drown the voice or not. And farther depones, That the next time he saw my lady was, that the Laird of Cullodine and the deponent came to the water-side near the isle of Aigis; and Captain Simon having come over to them by boat, the deponent desired to see my lady, which he shunned, telling him, That my lady did

¹ Inhabitant. ² Were. ³ Above-mentioned. ⁴ Cocked. ⁵ Agree. ⁶ Swoon — *Orig. Notes.*

not desire to see him; and the deponent replied, That it was not done like a comrade; especially seeing that it was reported at Inverness, That my lady was dead, or near expiring. Captain Simon answered, That he should be soon cleared of the contrary; and returning into his boat, he caused bring out my lady in their sight: But so weak as she was supported by two, and then carried her back again to a little house upon that island: But the deponent having asked at Mrs Mackbryar from the other side of the water, to ¹ try at her lady, if she had discharged the deponent to see her, she went accordingly, and brought back word, that she desired nothing more than to see the deponent, except her own liberation, and to tell her brother Lord James, that she was some better, and lived longer than she desired: And that the deponent saw my lady several times after that, where she made heavy complaints of the bad and rude usage she had met with; but her guards and others suspecting the deponent, because he would not comply ² annent some papers they were drawing up, for their own pretended security, he had not that free converse which he had formerly; and that this was the third or fourth night after the charge given them by the herald, to ³ dissipate and lay down their arms, and set my lady at liberty. And at the time when my lady parted with them, and went away with my Lord Forbes, the deponent saw about two hundred men in arms with Captain Simon Frazer. *Sic subscribitur*, Leonard Robertson.

Amelie Rioch, late ⁴ servitrix to Lady Lovat, aged sixteen years, sworn and purged, depones, That about the time libelled, she being a servant to my lady, Captain Simon Frazer, with several armed men, came to Castle-Dounie, and set centinels on my lady's chamber without and within the doors, with drawn swords; that Captain Simon's men carried by force my lady's waiting maids, Mrs Janet Frazer and the deponent, out of her room, and made them prisoners in another room; that about two of the clock in the morning, two armed men came and carried the deponent back to the lady's chamber, where she did see the lady sitting on the ground, her hair hanging down about her head, leaning backwards upon the bed-stock; ⁵ that one Donald Beaton was pulling off my lady's shoes, and Captain Simon was holding aquavita and burnt feathers to her nose, because she was then in a ⁶ swarf; that thereafter they commanding the deponent to take off my lady's shoes, and when she offered so to do, my lady spurned her away with her feet, shewing her unwillingness; that the deponent refusing to take off her cloaths, Captain Simon ordered to beat her; that Frazer of Kinmonavie did then hold up the lady in his arms, and Captain Simon pulled off her petticoats, and sought a knife from Hugh Monro to cut her stays; and because he had none, the captain ordered Frazer of Kinmonavie to cut the stays with his durk; ⁷ and then they threw the lady upon the bed: But the deponent saying that she would take off the lady's stays, they went a little out of the room, in which time the deponent did again fasten the stays, but they returning were displeased that the stays were not taken off, and commanded to put the deponent out of the room, and then they turned the lady upon her face, and stretched out her arms, and so took off her stays, which the deponent did see, because she went not out of the room, but stood at the foot of the bed. And when the deponent was going away, she heard my lady cry, but the bagpipe did play all the time in the next room to my lady's chamber, that her cries might not be heard. Depones, that next morning she went into the lady's chamber, and saw her head hang over the bed, and nothing upon it except a handkerchief; the deponent did see all the lady's face swollen, and she spoke nothing, but gave her a ⁸ broad look. And the deponent thought that my lady was not sensible for a day or two thereafter; for she did not know Lord Mungo her brother the next morning, when he came to see her, and when her servant told her, Here is your brother at the bed-side, the lady

¹ Enquire.² With.³ Disperse.⁴ Servant.⁵ Side.⁶ Swoon.⁷ Dagger.⁸ Wishful.

Orig. Notes.

asked, What brother? albeit she was looking him in the face with ¹ fair day-light. Depones, That when she and the other servants were carried by force the first night out of my lady's chamber, the lady stood up and held out her arms and cried: And when Dumballoch's lady came the next morning to the room, and called her madam, my lady answered, Call me not madam, but the most miserable wretch alive. Depones, That she saw my lady carried prisoner from Castle-Dounie to the isle of Aigis at twelve of the clock at night, and from that to Culgrain, and from that to Deanie, and then to the isle of Mullie. The reason of her knowledge, because she went along with her.

Janet Frazer, daughter to Dumballoch, aged sixteen years, unmarried, sworn and purged, depones, That at the time libelled, Captain Simon Frazer, and several armed men, came to the house of Castle-Dounie, and thereafter, there being guards and centries set on my lady's chamber-door, the deponent and Mrs Mackbryar being my lady Lovat's servants, were about twelve of the clock at night carried by force out of my lady's chamber, and my lady taking hold of the deponent's cloaths, and crying out, when the deponent was pulled away by force, my lady fell on her face. Depones, That next morning the deponent came to my lady's chamber about eight o'clock in the morning, and did see my lady's head hanging over the bed-stock, and see her face swollen. And the deponent enquiring ² annent my lady's health, my lady answered, I am dead. And about twelve o'clock that day, my lady appeared altogether unsensible, and did take the deponent for Lady Catherine, my lady's sister, who had died several years before, and about four o'clock the same afternoon, my lady did not know her brother my Lord Mungo, and could not speak to him. Depones, That about two o'clock the same day, my lady fell in a ³ swarf, and continued out and in the swarf about two hours. And this is the truth as she shall answer to God; and depones she cannot write.

Christian Macklain, late servitrix to James Frazer of Relict, aged twenty-four years, unmarried, purged and sworn, and interrogat by the Lord Aberuchil, and Mr Thomas Frazer sworn interpreter, in respect she cannot speak the English language, depones, That the time libelled, particularly that night that they talk of the pretended sham marriage, she being a servant in the family, had the charge of a young child, being in the next room to my lady's; and the door of my lady's room and the room where the deponent was being open, and the doors guarded by armed men, she heard my lady moan and lament. In the mean time there were bagpipes playing, and yet she heard my lady's voice so loud, that the sound of the bagpipe did not drown her voice. Depones, That she saw Kinmonavie drawing a ⁴ durk from one of the centries that was at the room where the deponent was, and rush into the room where the lady was with it. Depones, That the deponent was guarded so strictly, that she could get neither meat nor drink for herself nor the child, nor none allowed to come near her, from twelve o'clock of the day to eight o'clock next morning. Depones, she saw Captain Simon Frazer there, with the most part of the other persons insisted against, all in arms, and saw a great many more people in arms in and about the house. Further depones, That before the pipes were bended up, she heard my lady crying and clap her hands, saying, Is there no person that hath any Christian blood in them, who will have no respect to my woes? And repeated very often, Lord have mercy on her soul. This is the truth, as she shall answer to God. And depones, she cannot write. *Sic subscribitur*, Thomas Frazer.

Upon which probation the ⁵ assize did return their verdict, finding the ⁶ libel proven, with the aggravations against the said Captain Simon Frazer and the other persons insisted against.

After opening and reading of which verdict of assize, the Lords Justice General,

¹ Full light.

² About.

³ Swoon.

⁴ Dagger.

⁵ Jury.

⁶ Indictment.—Orig. Notes.

Justice Clerk, and Commissioners of Justiciary, in respect thereof, ¹decerned and adjudged the said Captain Simon Frazer, and the whole persons contained in the above-written verdict, to be executed to death, demeaned as traitors, and to undergo the pains of treason and utter punishment, appointed by the laws of the realm, at such times and places, and in such manner, as the said lords should appoint: And ordained their name, fame, memory, and honours to be extinct, and their arms to be ²riven forth and ³delete out of the books of arms; so that their posterity may never have place, nor be able hereafter to ⁴bruek or joice any honours, offices, titles or dignities, within the realm in time coming: And to have forfeited, amitted, and ⁵tint, all and sundry their lands, heretages, ⁶tacks, ⁷steedings, ⁸rooms, possessions, goods and gear whatsoever pertaining to them, to our sovereign lord, to remain perpetually with his majesty in property. And this sentence was by sound of trumpet, and all other solemnities, given for ⁹doom.

The Journals of her Majesty's Privy-Council, met at Edinburgh, September 27, 1703, about Captain Simon Frazer of Beaufort, an Emissary of France, who was carrying on Designs against the Government, in the Highlands of Scotland.

Present,

Duke of Queensberry, High Commissioner.	Earl of Roseberrie.
Earl of Seafield, Lord High Chancellor.	Earl of Glasgow.
Marq. Anandale, President of the Council.	Lord Forbes.
Duke of Atholl, Lord Privy Seal.	Lord President of the Session.
Earl of Crauford.	Lord Register.
Earl of Marr.	Lord Advocate.
Earl of Morton.	Lord Aberuchill.
Earl of Galloway.	Mr Fra. Montgomery.
Earl of Loudoun.	Sheriff of Bute.
Earl of Leven.	Kilbirnie.
Earl of Forfar.	Hoptoun.
Earl of Dunmore.	Prestongrange.
Earl of Stair.	

Commission of Fire and Sword, the Lady Lovat against Captain Simon Frazer.

Anne, by the Grace of God, Queen of Great Britain, France, and Ireland, Defender of the Faith, to our Lovits, macers of our privy-council, messengers at arms, our sheriffs in that part, conjunctly and severally, specially constituted, and to all and sundry our loyal and loving subjects, whom it affeirs, greeting. Forasmuch as, by a petition presented to our high commissioner, and the lords of our privy-council, by Emilia Lady Dowager of Lovat, making mention, That Captain Simon Frazer of Beaufort, being denounced rebel, and intercommuned at the said petitioner's instance, upon the 16th day of March, one thousand seven hundred and two years, at the market cross of Inverness, and upon the 17th day of February preceding, at the market cross of Edinburgh, for a most horrid and abominable crime committed upon the said petitioner's person, which is notorious to the whole nation; whereupon the said Captain Simon Frazer, having fled out of this kingdom, and escaped the hands of justice, yet has now adventured to return to that place where his villainy was committed, in contempt of authority and the justice of the nation. And therefore humbly craving, that according

¹ Decreed.
² Farins.

³ Torn.
⁴ Judgment.—Orig. Notes.

⁵ Blotted.

⁶ Enjoy.

⁷ Lost.

⁸ Leases.

⁹ Villages.

to justice and law in such cases, our said commissioner and lords of our privy-council, would be pleased to grant and direct a commission of fire and sword against the said Captain Simon Frazer, an-intercommuned rebel, and his associates, to the commanders of our forces, sheriffs of the shires of Inverness and Ross, and their deputies, and such other persons as our said high commissioner and lords of our privy council should think fit to name, as the said petition, letters of intercommuning therein mentioned, and executions thereof produced and had in presence of our said high commissioner and lords of our privy council in themselves at more length bears: Under which renunciation, intercommuning, and outlawry aforesaid, the said Captain Simon Frazer hath ever since lien and abiden, taking no regard thereof, nor of our authority and laws, but in manifest contempt of the same, daily and continually haunts, frequents, and repairs to kirk, mercat, and other publick places within this realm, as if he were our free liege, to the evil example and encouragement of others to do the like in time coming. For preventing whereof, and vindicating our authority from such high contempt, we, with advice of our said high commissioner and lords of our privy-council, have made and constitute, and by the tenour hereof make and constitute the sheriffs of the sheriffdoms of Ross, Inverness, Nairn, Murray, Perth, and Angus, and their respective deputies, and such of the heretors within the said respective shires, whom they shall call to their aid and assistance in executing the said commission. As also all the officers of our forces, and the soldiers under their command, and particularly Brigadier James Maitland, governor of Fort William, Captain William Grant, captain of one of the independent companies, and the officers and soldiers under their commands, respective, our commissioners and justices in that part, to the effect after specified, giving, granting, and committing to them, and each of them, conjunctly and severally, our full power and command, express bidding and charge, to convocate our liedges in arms, to pass and search for, see, follow, take, apprehend, imprison, or present to justice, and in case of resistance, hostility, or opposition, to pursue to the death the said Captain Simon Frazer, outlawed and fugitive aforesaid, and such persons as shall associate themselves to him, and resist the execution of this our commission, wherever he can be apprehended: And if the said Captain Simon Frazer, and they who shall associate themselves to him, in opposition to this commission, shall, for his or their refuge, happen to flee to houses or strengths, in that case, we, with advice aforesaid, give full power and commission to our said commissioners conjunctly and severally as said is, to pass, pursue, and assiege the saids houses or strengths, raise fire, and use all force and warlike engines that can be had for winning and recovering thereof, and apprehending the said Captain Simon Frazer, and such persons as shall associate themselves to him, in resisting the execution of this commission, as rebels and traitors.

And if in pursuit of the saids rebels (they resisting to be taken) or in assieging the said strengths or houses, there shall happen slaughter, mutilation, fire-raising, destruction of corn, or goods, or other inconveniency whatsoever to follow, we, with advice foresaid, will and grant, and for us, and our successors, decern and declare, That the same shall not be imputed or charged as any crime or offence to our saids commissioners, nor to the persons assisting them in the execution of this our commission, and that they, nor none of them, shall be called or accused therefore criminally or civilly in time coming, exonerating them and each of them thereof, and of all punishment and danger, that they, or any of them, shall happen to incur there through for ever. And for the better execution of this our commission, with power to our said commissioners, conjunctly and severally, as saids is, and such persons our liedges as shall be convocate by them, or shall be joined with them to the effect foresaid, to bear, wear, and use swords, hagbuts, pistols, and other warlike weapons, in their going from their own houses to this our service, in the time that they are in the prosecution of the same, and in their return home to their saids houses; and generally all and sundry other

things to do, use, and exerce, which to the execution of such commissions, by the law, and consuetude of this realm, is known to appertain, firm and stable, holding and for to hold, all and whatsoever things shall be lawfully done therein by our saids commissioners, or any of them: And this our said commission is hereby declared to stand and endure aye and while the same shall be charged by us, and the lords of our privy council. Our will is therefore, and we charge you strictly and command, That incontinent these our letters seen, ye pass, and in our name and authority make publication hereof by open proclamation at the market crosses of the head burghs of the sheriffdoms of Ross, Inverness, Nairn, Murray, Perth, and Angus, and other places needful, that none may pretend ignorance of the same, and that ye command and charge all our liedges to reverence, acknowledge, and obey, concur with, fortify and assist our saids commissioners, and every one of them, in all things tending to the execution of this our commission, as they and ilk one of them will be answerable upon their obedience and highest peril. The whilk to do we commit to you conjunctly and severally our full power by thir our letters, delivering them to you, duly execute, and indorsed again to the bearer.

Given under our signet at Edinburgh, the twenty-seventh day of September, and of our reign the second year, 1703.

Sic subscribitur,

Seafeld, Cancellar.

Loudoun.

Athol, C. P. S.

Forfar.

Mar.

Roseberrie.

Kintore.

Forbes.

Dunmore.

Ja. Murray.

Glasgow.

M. F. Montgomery.

Galloway.

At Edinburgh, the 27th day of September, one thousand seven hundred and three years.

The commission within written is recorded in the books of privy-council,

By me,

Gil. Elliot, Cls. Sti. Cons.

A sober Enquiry, Whether it can be for the Interest of any Sort of People in England to have the Pretended King James III. advanced to the Throne of this Kingdom?

1704.

Sero sapiunt Phryges.

To the Reader.

This paper was written by a hearty well-wisher to the queen, her protestant heirs, or successors, and to the church, laws, and liberties of England.

Wherefore, if any thing has dropt from his pen in it, that disserves any of those great interests, as it was not intended by him, so he does here unsay it, as a matter he was mistaken in.

And as it was written with no ill-will to any party of men, nor with no other view but to serve the publick, so, let it be weak or strong, he has taken all the care he could not to say any thing that he thought would exasperate: And though that may have shortened this paper very much, it has not, he believes, weakened it at all with the judicious.

And should any wonder how it comes to pass, that in a paper of this nature, there

should not be one word that looks towards that pretended prince's birth, they must know, the reason is, because the legislative has not, as yet, thought fit to make any declaration about it; not having, in their very attainder, and abjuration of that pretended prince, so much as mentioned that as any part of the ground of those acts. For though he may possibly be mistaken in the nature of some of the grounds he here goes upon, he did not venture to make one step, but where he thought there was sure footing.

That I may not be thought to go about to persuade people, by motives drawn purely from their worldly interests, to act against their consciences, I do here, once for all, declare, That whoever is fully persuaded in his mind, that the pretended King James III. has an undoubted right to the crown of England, ought not, whilst he is so persuaded, any ways to oppose his coming to the crown; nor by any oaths, or abjurations, or in prayers, to acknowledge that right to be in another, it not being lawful for one, on any consideration whatsoever, to act against the present positive dictates of his conscience; no, not in cases where his conscience is mistaken.

But as it is never lawful for one to act contrary to his conscience, so it is every man's duty to seek to have his conscience rightly informed; and especially in matters of so great moment as this is, which is before us; on which nothing less than the preservation of our religion, laws, and liberties, do seem entirely to depend.—And as it is certainly a great unhappiness for one to have his mind under the power of persuasions, which do naturally thwart, not only his own private, otherwise just interests, but also the great and known interests of his religion and of his country: So that great unhappiness, though it ought not to bias one's conscience against such persuasions; and much less to prevail with him to stifle them, or to act against them, it ought nevertheless to engage him both in conscience, and in wisdom, strictly and impartially to enquire whether those prejudicial persuasions be true and well grounded or not; and so to dispose his mind as to be prepared to lay them aside whenever he shall discover them to be false and groundless.

Neither ought any to imagine, that there is but little danger of people's being partial in favour of persuasions, which do visibly thwart, both their own and their country's great interests. For they must know but little of man's nature, who are not sensible, that his mind may have stronger biasses by secret ways, than by those of his own, or of his country's visible outward advantages: For besides that, in such cases, people may have strong secret hopes of reaping, at one time or another, greater outward advantages, by stiffly adhering to such persuasions, than they can ever hope to receive by renouncing of them; and with such hopes, though they are many times vain and fantastical, people in such cases are very apt either to feed themselves, or to be fed with them by others: Besides this, if it has so happened, that people have at any time appeared zealous for such persuasions, and, in a hot contradiction to some by whom they have been opposed, have laid a wonderful stress upon them; and if they have also been much applauded for that zeal and for its works; though those persuasions may be false notwithstanding all that, yet from thence a pride of understanding may have sprung, which may disdain to yield so far to any considerations whatsoever, as to dishonour those persuasions so much, as to suppose, that a stricter and more impartial examination of them might possibly discover their ground not to be firm enough for the great weight that is laid upon it. Neither is it uncommon for an intellectual pride to disguise itself so as to appear a conscientious steadiness of mind, and that not to others only, but to the persons themselves that have it; and who, mistaking it for that, may stiffly adhere to it, with a sincere, and very honest heart, to their own and their country's great prejudice.

So the Jews had suffered much, and long, before they were able to overcome the superstitious persuasion they were so fond of—Of its not being lawful for them either to offend their enemies, or to defend themselves, upon the Sabbath-day; the city of Jerusalem having been lost, more than once, by means of that folly, before the Jews could be cured of it.—And ought not this miscarriage of the Jews to be a warning to all other nations, not rashly to espouse, nor to give any countenance to persuasions, which, according to the course of natural causes, must necessarily, without an extraordinary divine interposition, end in their total ruin?

Since God, we see, did suffer that superstitious persuasion, having no warrant from him, notwithstanding it carried in it a profound reverence and trust in his providence, and protection, to have its natural ruinous effects on that people; and, in truth, they must mistake God very much, who do hope to engage him by any unwarranted reliance on his providence, to preserve them, by miracles, from being destroyed. So the Jews, who said, that they who trusted in God were delivered, did find they were much mistaken, when they themselves came to try the experiment.

But my intention, in this paper, being only to satisfy people, that it cannot be for their own nor their country's interest to have the pretended King James III. on the throne of England, I shall not here offer any thing for their better information, who do believe the undoubted right to the crown to be in that pretended prince, but shall refer them for that to the wise and learned books which have been published by men of clear understandings in the constitutions of civil government.

Now, the great body of this kingdom may be divided into those who have never taken the oaths to the queen, nor the abjuration; and those who have taken them; and the former may be subdivided into Roman catholic and protestant non-jurors, and the latter into the members of the church of England and protestant dissenters.

Having made only one exception, of Roman catholics who have no estates, and of protestants who have none neither, and are prepared to turn papists whenever they shall judge it to be for their conveniency, I shall begin with the Roman catholics, because of all others they do seem to have most reason to promise themselves great advantages from that revolution; and the truth is, were they, of themselves, able, without a French power, to bring that pretended prince to the throne, and having raised him to it, were strong enough to keep him on it, and were certain also that he would live to reign many years, and would be succeeded by one of his own religion, they might then reasonably promise themselves, and their religion, great advantages by that change; since, considering that pretended prince's age, and the education which has been given him, and the resentments of his mother, and of all that are about him, they have no reason to doubt of protestants and their religion being his perfect aversion, and of popery and its interests being his idols.

But if, on the contrary, it should be demonstrated, that without a French force which is able to master the strength of England, that pretended prince cannot be raised to the throne, or, if he were, cannot without that foreign power be kept long upon it, and that their miscarrying either in the attempting of that revolution, or in the preserving of it, must certainly end in their own and their religion's total ruin, enough, I suppose, have been offered to satisfy them, that it is not for their interest to endeavour that change.

For, first, that the English Roman catholics, who are not the two hundredth part of the kingdom, are not of themselves, without a miracle, strong enough to bring about that revolution, will, I suppose, be easily granted by all the thinking men of that sect, and who, though they do seem to believe the numberless miracles which are reported to be wrought daily, on trivial occasions, in the Roman church, do not, so far as I have observed by them, rely much on the having of miracles wrought for them, in politics, in favour of their religion.

But, secondly, suppose they do flatter themselves with hopes of being able so far to impose upon protestants, as to gain a sufficient number of them to join with them in it: I will suppose, though I can by no means grant it, that the protestant non-jurors will lend them their whole strength to bring about that revolution; but can any Roman catholick possibly be so ignorant, or so sanguine, as to imagine that their own weakness would receive any considerable accession of strength by that union, considering the known smallness of the protestant non-jurors numbers, and how little their wealth and interest is in the kingdom; there being but very few of the protestant clergy, nobility, and gentry, who have not taken the oaths to the queen, and solemnly abjured that pretended prince. Now the reason why I cannot grant that the Roman catholicks, upon a trial, would be sure of that accession of protestant strength, small as it is, is because there is not a protestant non-juror of my acquaintance, that does not, on all occasions, express a wonderful zeal against popery; and which zeal, though it may not work so much whilst popery is at a distance from it, yet would, I do really believe, if it were once brought to a push, make them think twice, before they join hands with the Roman catholicks, to exalt one of their religion to the throne.

And if the Roman catholicks, though they were sure of all the protestant non-jurors, cannot be so vain as to think that their two small numbers being united would have a strength sufficient to bring about that revolution, they must therefore hope to do it either by a French power, or by being able to gain protestants enough, from among those that have taken the abjuration, and the oaths to the queen, to join them, to do it, without that foreign assistance: To their doing of it by the first way I shall speak anon; and as to the second way, one would be glad to know, on what grounds they do promise themselves so many auxiliaries, for they will want a great many from among the protestants who have taken the abjuration and the oaths to the queen: If they should say, and it is I believe the most that they can say, that they observe that great numbers of those who have often taken the oaths, and the abjuration, do, notwithstanding that, appear to be dissatisfied with the present legal settlement of the crown in the protestant line, and do farther discover a tenderness, and something of a leaning towards St Germain's: Now, supposing all this to be true in fact, though I doubt not of its being made both greater, and much more universal by them than it really is, yet can that be relied on as a sufficient ground for such hopes; and especially if the hopes, built on that ground, have, within these fifteen years last past, been many times disappointed, as I doubt not but they have? They would do well therefore to consider, whether people, whilst danger is at a distance, may not seem to have so tender a compassion for one they see in distress, as to appear very well disposed to succour him; and yet when they do come to find that it cannot be done, without endangering their own necks, whether they will not look twenty times before they will leap down a precipice to his relief: And whether self-preservation, whenever it comes to be visibly concerned, will not always be too strong for all such sympathies, unless they be powerfully influenced by conscience; and which cannot be supposed in this case, unless people's oaths, abjurations, and prayers, may look one way, and their consciences look another; the former towards Hanover, and the latter towards St Germain's. But yet further, if that leaning towards St Germain's that is fancied, should be entirely on a supposition that that pretended prince will turn protestant, can the Roman catholicks hope then to reap any advantage by it, for if he do not turn protestant, as it is not at all likely he will, that leaning towards him will do him no service, and if he does turn protestant, what can the Roman catholicks expect from his coming to the crown, but harder usage than they have ever yet met with in England; for as the protestants, by whom he is here supposed to be raised to, and kept upon the throne, will, for his having been once a papist, be always jealous of his being well affected to that sect, as the Roman catholicks in France were of Henry the Fourth's being so to the protestants; so that unless that

pretended prince, after he has the crown, does let a French or popish power in upon the nation that is strong enough to subdue it; and which we shall see anon will be but a bad remedy for them; that watchful jealousy of his protestant subjects will oblige him, for his own security, to do hard things to the Roman catholicks, to satisfy the protestants of his not being popishly inclined; so, ever since the Reformation, all the quarrels the court of France has had with the pope have been so far from being of any benefit to the French protestants, that they have always suffered by them; a fierce persecution against the protestants, on all those occasions, having been constantly raised by that court, on purpose to prevent their being suspected of being protestantly inclined, and we all remember what our King Charles the Second was compelled to do against his Roman catholick subjects by reason of the jealousy of the protestants, notwithstanding his own inclinations.

The Roman catholicks therefore have nothing that they can rely on in this case but French succours; and which succours, if they be not very strong, may, for being both French and popish, run a great risk of miscarrying; and if they do, that miscarriage will certainly end in the total destruction of all the Roman catholicks and their families in England: Neither ought their having escaped so well, upon the last bold attempt which they made upon the religion, laws, and liberties of England, having miscarried, encourage them to renew it, and after a yet more violent manner, since the unexpected lenity they met with at that time was owing chiefly to the singular temper and moderation of that wise prince, who, under God, was the chief author of that revolution; but, if to prevent their miscarrying in the attempt, the French succours are so strong as to be able to conquer all the opposition they do meet with in England, those succours, after they have once subdued all that opposed them, will with great ease master those that joined with them, if they should find them averse to the French king's whole will and pleasure being done in England: And so being just such auxiliaries to them as the Saxons were to the Britains, they will either make England a province to France, or, by destroying her shipping, and trade, and stock, will bring her so low, that she shall never be in a condition to disturb France any more in the prosecution of her aims at an universal monarchy: Neither will the king that is set up by them in England, if they do set one up, be any more than a French intendant, or at most but a Duke of Lorrain. Now, if the Roman catholicks, who are men of estates, will be content to run all these risques, and so that they may but have a king of their own religion, will be satisfied to have him raised to the throne, and kept upon it by an uncontrollable French power, they may, when it will be too late, find their error, and be brought to understand how much better it is to have their property secured under a free government, and to enjoy the exercise of their religion in private, (which the good nature of protestants would suffer them to enjoy quietly, if they would but once give over plotting with foreigners) than to have the publick exercise of their worship by authority, under an arbitrary French power; for that the total ruin of the laws and liberties, and of the whole shipping and trade of England, must infallibly be the consequence of an irresistible French power in her, will not, I believe, be denied by any that have a knowledge in the affairs of the world; nor is it possible for any that have ever heard of the French king, to imagine, that any antecedent promises or oaths to the contrary, would, if he had such a force in England, be able to withhold him from making that use of it.

There is one thing more I have to say to the Roman catholicks before I dismiss them, and that is, that whilst their number is so small in England in comparison of the protestants, it can be neither for their own private interest, nor for the interest of their religion, to have a papist on the throne; for such a prince will either do nothing for them, that he knows will offend the great body of his subjects; and then his being of their religion will do them no kindness, or he will be active to promote them, and their religion; and will, by that means, certainly draw down a storm both upon himself and

them ; and which, for the reason that I have given, may not always blow over with so little damage to them as the last did ; it would therefore certainly be the wisdom of the Roman catholicks in England, until their numbers are much greater than they are at present, to live quietly under our most gracious queen, and her protestant heirs or successors, and to give over all thoughts of plotting with foreigners, or others, how to advance one of their own religion to the throne, and especially since that is not to be done but by a French power, and which, if it succeeds, will destroy England ; and if it miscarries, will bring certain ruin upon them and their families : Indeed were kings, let them do what they list, not to be opposed by their subjects in any case, a popish king might then, with a handful of his own sect, with ease destroy the protestant religion in England as it is by law established, and in a short time mightily increase the number of papists in it, by giving the estates of all that would not turn among those that did ; or among colonies of poor papists drawn from other countries ; but it will then be soon enough for the Roman catholicks to expect that protestants will suffer the true and legally established religion, and their civil rights and liberties, to be all destroyed, when they are able to preserve them ; when any popish nation shall have done the same, or when their church, or their own hearts do tell them, that it is the duty of all subjects to be so tame under their kings, as to suffer them to destroy their religion, rather than preserve it by resisting them.

I come now to the non-jurors, who, next to the Roman catholicks, do seem to have the most reason to promise themselves great advantages from that revolution.

But as their number is very small, for it is believed that, besides the Roman catholicks, there are not three hundred men, of the clergy and laity, of any estate, or figure, in the whole kingdom, that have not taken the oaths and the abjuration : So, whatever they may think, that smallness of their number will, after such a revolution, cause them to be but little considered, whether it be brought about by a French and popish or by a protestant power : For if it be done by an irresistible French power, what has been said of the English Roman catholicks may be applied with more force to them, yea, though they should turn papists ; and if they did not turn, for them to imagine, that their having constantly adhered to that pretended prince's interest, would, if at all, be so much considered as to be sufficient to preserve the church of England from being destroyed to build popery upon its ruins, is a conceit too extravagant for any man that is in his senses, and knows any thing of the spirit of popery, so much as to dream of ; and in case any of the protestant non-jurors did in the last two years of King James's reign, by their honest and stout behaviour, promote or give any encouragement to the late revolution, and which I believe most of them did ; that great disservice may probably be so much remembered, that their future good inclinations may be reckoned to be sufficiently rewarded, by their being pardoned for what they did before ; and if the protestant non-jurors, because they may now, perhaps, be highly caressed by the Roman catholicks, do imagine that they would be so if one of their religion were upon the throne, I will tell them a short story : I do very well remember, that from the year 1680, until the year 1685, the bishops and clergy of the church of England were every where extolled to the skies by the Roman catholicks : But in the year 1688, having happened to meet with a Roman priest, who, to my knowledge, had formerly extolled them as high as any man, I found by him, that they had changed their note ; for with great heat, upon a very slight occasion, he said, I do not care if the devil had all your bishops, for, (to use his coarse words,) they are all a pack of rogues : And when I put him in mind of what I had formerly heard him say in their commendation, his answer was, I did think they had been honest men, but I find now that I was mistaken in them ; and thus the protestants are honest men, or rogues, with the Roman catholicks, just as they think they are serving or dis-serving the aims of popery : For that gratitude will never hinder popery, when it has power, from attacking

cing itself upon the ruins of the church of England, Queen Mary's and the late King James's carriage towards that church do sufficiently demonstrate. For though no prince could possibly be more beholden to any body of men, than that king was to the members of the church of England, who, by opposing the Bill of Exclusion, and by twenty things more, did visibly both keep his way open, and pave his way to the crown, and did hold him upon the throne, when Monmouth and Argyle had otherwise pulled him off of it; and yet these great and fresh benefactors did no sooner deny to concur with that prince in his illegal and arbitrary proceedings, of dispensing with all the laws which disabled papists from bearing any office in church or state, and in granting a toleration contrary to law, than he threw them all off at once, and with great ease; and in order to destroy that church he was so much obliged to, he did set an illegal high commission-court over her, the first exercise of whose jurisdiction was the suspending the Bishop of London for having refused to censure Dr Sharp for preaching against popery; and by which illegal court, the clergy were required to read in their churches a declaration, not only contrary to law, but plainly designed to undermine the church of England; and the Archbishop of Canterbury, with six other bishops, having presented an humble petition to the king, in his bed-chamber, with great modesty shewing their reasons why they could not order their clergy to publish that declaration, because they durst not betray their trust, were committed to the Tower, and prosecuted with the utmost rigour: And did not that prince farther, contrary to many promises and gratitude, as well as law, and by the help of the same high commission, make professed papists heads of colleges, and turn out the fellows of Magdalene, and fill that college with papists? and did he not, to satisfy the church of England that he had not the least remains of gratitude in him for her, grant a commission to several violent dissenters, to enquire how much had been taken from them, when the laws were put in execution against them, that it might be restored, notwithstanding that prosecution had been set on foot, and violently driven on at his instigation, to facilitate his coming to the crown? And can any man possibly remember all this, and yet dream that an inconsiderable, and unactive bare adherence, by an handful of protestants, to the interest of a popish prince, and who had disserved him so much before, can be any bond at all upon him, after he has the crown, to do any thing for them, purely out of gratitude; and much less to do a thing so considerable, and so contrary both to his inclination and interest, and the principles of his religion, as the preserving of the church of England, when it is in his power to destroy it? If the protestant non-jurors are capable of believing that it would be otherwise in this case, the infamy of being the most credulous sect of men in the world ought to lie no longer upon the Jews.

Secondly, Supposing that pretended prince should be brought in by protestants, who have taken the oaths and the abjuration, can the non-jurors believe, that after they have done that pretended prince so great a service, they will endure that the not having taken the oaths and the abjuration should, to their great reproach, be reckoned a merit, and be rewarded as such; and that it will not be in danger of coming quickly to be looked on as a weak, wilful, and useless piece of scrupulosity; and the having taken the oaths and the abjuration, with some reserve or other that will be devised, will come to be reckoned the best and the wisest course that could have been taken to promote that pretended prince's interest: And should the non-jurors, upon that provocation, be so bold as to ask the jurors, where their consciences were all the while, they will quickly make them grow weary of disturbing them with such close reproachful questions: For it is not for an handful of men, let their merit really be never so great, unless they will throw themselves into a state of persecution, for to plead it; if that cannot be done, without reproaching the great body of the nation, the governing part of it not excepted, and which the jurors must necessarily be in this case,

until the papists have supplanted them: So that let that revolution be brought about by whom it will, since the non-jurors themselves have not power enough to do it, they will find themselves extremely mistaken, if they imagine, that were it once brought about, they should then be placed upon the high places of the earth, and be adored by all, as so many Christian confessors; for, on the contrary, if it be brought about by the French and Roman catholicks, they, unless the non-jurors do turn papists, will despise both them and the principle for which they suffered, viz. the doctrine of its not being lawful for subjects to resist their princes, though they will infallibly destroy their religion, if they be not resisted by them; being a doctrine the Roman church is too politick ever to encourage amongst her members; or not to condemn as one of the worst and most dangerous of all heresies: And if it should be brought about by the protestant jurors, it is a madness to think that they will suffer that to be esteemed and rewarded as a merit which cannot be reckoned so, but to their eternal reproach.

It would therefore certainly be the wisdom of the protestant non-jurors, since their number is so very small, to live contentedly under our most gracious queen, and her protestant heirs or successors, and to bear the losses which they sustain for their consciences with a meek and Christian spirit and temper: And the more, for that such a revolution cannot be brought about without endangering the very being of the church, laws, and liberties of England: And as by such a patient Christian behaviour, they will satisfy every body that it is their consciences, and nothing else, that keeps them from coming in to the present government, so such a behaviour would create to them a much greater reverence than they can ever hope to meet with after such a revolution, let it be brought about by whom it will. And though whilst they are persuaded of the right of the crown being in that pretended prince, they ought not to oppose his coming to it; yet they are not obliged to promote it, if that cannot be done but to the visible hazard of religion, their country, and their own persons and estates; for though one ought not for the world to do another any wrong, or to contribute to its being done, or continued, yet no man ever thought he was bound to hazard his life and estate, much less his religion and country, to help one, whom he believes to be wronged by others, to his right: And whatever hard thoughts some may have of the late revolution, and of all that hath been done since in pursuance of it, notwithstanding it is plain, that we do owe to it our having a gracious protestant queen, and all the benefits of her good government, yet in wisdom, they ought to consider, not how things might have been, nor how they fancy, or wish they had been, but to consider how things are; and, in the state they are in at present, what is fit to be done, and which, if all protestants in England would but do, the Roman catholicks at St Germain's would retire to monasteries, or at least they would give over caballing, how they might disturb the queen's happy reign, and the great and necessary enterprizes she is engaged in.

I come now to the jurors, who are the great body of the nation; and as to them, let rash, uncharitable, or designing people say what they will, I cannot believe that there are many, if any, among those, who do solemnly take the oaths to the queen, as to their lawful and rightful sovereign, and do abjure the pretended King James the Third, and his right to the crown, and do pray daily for the Princess Sophia, as the presumptive heir of it, and yet do, notwithstanding, judge the right to the crown to be in that pretended prince, whom they have abjured, and not in the queen; and to be so disposed that they would help him to it, if it were in their power: To take solemn oaths, and to offer prayers daily up to God in defiance to their consciences, and with an intention not to be bound by those sacred ties, not to act contrary to God in defiance to their consciences, and with an intention not to be bound by those sacred ties, not to act contrary to them: Being a thing of such a nature, as no Christian, nor

man indeed, ought to be thought capable of, only upon surmises or conjectures; and though some non-jurors may perhaps, out of policy, pretend not to be much displeased with people's taking the oaths and the abjuration, provided they do not relinquish a principle which is contrary to the doing of it; and which principle keeps the very non-jurors themselves from taking them; and they may also carry it much fairer with those, who they think do take the oaths so, than with others who take them upon a principle which is consonant to them: Whatever any non-jurors may pretend, they cannot possibly, without being inconsistent with themselves, and having very strange notions in morals, but detest such a course, as unworthy of any man, and much more of a Christian.

I will not therefore here so much as suppose, that there is any such party of men as this in the nation, but, in contradiction to those who presume and boast that there is, will shew how unlikely a thing it is, that there should be any such party, by proving that it is neither for the honour, nor for the interest, of any that have taken the oaths, for to appear disposed to bring in the pretended prince whom they have abjured; or for to attempt it, though they were sure to succeed.

And that it cannot be for the honour of any that have taken the oaths and the abjuration, and do pray daily for the Princess Sophia, as the presumptive heir of the crown, to appear disposed, in contradiction to all those sacred bonds, to bring in the pretended prince, whom they have so solemnly abjured, will, I suppose, be easily granted by all men; and if it cannot be for their interest neither, as I shall shew it cannot, why should any suspect that there is any such party of men in the nation? for can any be so disposed, and not see plainly the present ill consequences of their appearing to be so; namely, that of alienating the queen from them, whose good grace is so earnestly desired by all her subjects; for besides, that such a disposition must give so pious and religious a princess a very ill opinion of the jurors she observes it in; her own safety, and that of the protestant religion, which is yet dearer to her, will oblige her to frown upon them, and not to trust them in posts, which may put them in a capacity of furthering that pretended prince's being brought to the crown: Neither is this great evil to be prevented, by any assurances, which can be given the queen, of there being no intention to set up that pretended prince whilst she lives; for besides, that no sovereign cares to have her right to her crown so precarious as to owe it to another's permitting her, for his own future interest, to wear it as long as she lives; and which, if the right to the crown be at St. Germain's, is the best that can be made of this matter; were England so prepared for that pretended prince's coming quietly to the crown, after the queen's decease, as it was for the Duke of York's coming to it when King Charles the Second died, can any think that the queen's sacred life, which all her subjects have reason to wish may be longer than any of her predecessors, could be long preserved? So that, were there nothing else to keep people from giving those at St. Germain's hopes of their pretended prince being to succeed the queen, the preservation of the queen's sacred life, which will be exposed by it to great danger, ought to make them dread the giving of them any such hopes: Besides, can any imagine but that the queen, after all the declarations which she has made to her subjects, of her resolution to maintain the protestant succession, as it is now by law established, will not be highly displeased with men that should, in contradiction to her laws and declarations, and their own oaths, appear disposed to destroy that settlement, on which the security of the church, laws, and liberties of England are known to depend? All which great interests are so dear to the queen, that they would find themselves much mistaken who should imagine, that she will not, according to her just motto, be *semper eadem* to them. And yet farther, can any think that the wise patriots, who are about the queen, and who, for the former great services they have done their country, must certainly be all sacrificed, with their families, if that revolution should be brought

about, that they will not, for their mistress's, their religion, their country's, and their families safety, take care to disable all that they shall observe to be so disposed, though they will do it with reluctance?

But if it cannot be for the interest of any protestant to appear disposed to help that pretended prince to the crown, it can much less be for their interest, if they have estates, and are not prepared to turn papists, to attempt it, though they were sure it would succeed; for protestants, before they come to have a formed intention of bringing in that pretended prince, must certainly come to a resolution, whether they will attempt it, on condition that he turns protestant; or will do it whether he declares himself a protestant or no: If they should resolve, that unless he turn protestant, they will have nothing to do with him, though England may then be in little danger of ever seeing him raised to the throne, yet they, who, contrary to the law, and the known interest of the kingdom, have entered into such a treaty with him, may come to be great sufferers by it; or, if he should declare himself a protestant, hoping by that means to facilitate his coming to the crown, that profession would not help him to many protestant friends in England, besides those that had treated with him about it: The great body of the three kingdoms, having been so long used to papists, pretending themselves protestants, for the advancement of their interest, and smarted so much by trusting to it, that they will not easily be cured of the jealousy, of his continuing still a papist in his heart; and that were he but once upon the throne, and had a sufficient popish force about him, he would then throw off the mask, and be more zealous to introduce popery, with all its black companions, for having dissembled it, to get into a capacity of doing it greater service; and in that case, *à non putarem*, or I could not have imagined it; 'twill be but a poor satisfaction to England, and to the very men themselves, if they do not turn papists, who have been instrumental in that revolution; there is not indeed any thing that makes one so apprehensive, that Bishop Usher's prophecy concerning the return of popery into England, may be fulfilled, as that some protestants, after they have been so often and dangerously deceived by trusting papists words and promises, in matters relating to their religion, should yet be as ready to trust them again, as if they had never been deceived by them; for if this be not a sorcery, it is hard to tell what is.

But if they should be so fond of having that pretended prince, that they will take him with all his faults, and though he still continues to profess himself a papist, they will find that they have taken a very difficult and dangerous work upon their hands; for let it come when it will, to be an armed struggle among ourselves, without any foreign succours on either side, whether one that is a protestant, and as such has a legal title to the crown, or a papist bred up in France, with all possible prejudices to protestants, and their religion, shall be King of England, it will, in all likelihood, be the shortest, though not perhaps the least bloody civil war that ever was in this island; the terrible and just consternation the three kingdoms were under when popery was lately upon the throne, being still so fresh in the memories of the body of the people, and many of the nobles, clergy, and men of estates, that they will certainly venture all they have in the world rather than be reduced again to such a desperate estate. But if, to remedy this, that pretended prince brings over with him so strong a French or popish force as will, being united to his protestant friends, be strong enough to carry his point, can they that trust to that remedy conceive, that that French force will not occasion others, if need be, to call over forces too from Hanover; and so poor England must be made a field of blood, and a scene of all imaginable miseries, for no other end but to raise a papist to the throne; and if, to make sure work, the French succours should be strong enough to subdue all the opposition they can meet with in England, will they not, after they have done that, likewise be strong enough to con-

quer all the protestants that have joined with them, and if they are, will they not certainly do it? And besides, their using of England in that case, as I have shewed they will when I spoke to the Roman catholicks, will they not infallibly destroy the protestant religion, root and branch, in her; but if the numbers of protestants, who will appear in arms for that pretended prince, should be supposed to be so great, that they will be able to do the business with so small a body of French succours as they will easily be able to master, if they should prove mutinous, though that might be so, if they were all kept still in arms, yet what will the protestants do, if their new popish king, after he is upon the throne, should repose more confidence in the French, and other popish forces, which in a short time he might get about him, than in his protestant friends, and so think fit to disband them, and keep the other on foot; in that case they must either disobey their new popish king, and not be disbanded by him, or being disbanded, they must submit to the French, and other popish standing forces, and whose numbers that popish king may augment at his pleasure, having the fleet of England and all its ports in his hands; for it is not to be imagined, that when they give him the crown they will keep them from him; and though it is true, that by letting into England too great a number of French troops, that king may be reduced to be little more than a French viceroy, yet may not a bigotry, for the introducing and establishing of popery in England, and great French promises and assurances, delude him so far, as to lead him to do that, which may end both in his own ruin, and in the ruin of the kingdom? Neither will that be the first time that people have been deceived, who have trusted much to princes' not doing of any thing that is contrary to their own interests; and especially, when princes are in great perplexities, or under the power of any blind passion, or violent resentment, or in the hands of self-interested or bigotted ministers; all which would be likely to concur in that case.

And did all protestants but remember the great and just fears which they were under, when popery was last upon the throne, and which, one would think, could not well be forgotten in so short a space of time as seventeen or eighteen years; they would then above all things dread the thoughts of seeing popery advance towards the throne any more: And if the insolence of the English Roman catholicks, when popery was last regnant, was so insufferable, how much worse will that of the French, joined to that of the English, Irish and Scots be, who will then flock like locusts about the throne, and be ready to spit in the face of any protestant that shall dare to approach it?

But though I am confident that the late popish reign must be too fresh in the memories of most English protestants, for any great number of them to assist Roman catholicks to advance popery to the throne again; and that, in contradiction to their oaths, abjurations, and prayers, not to mention their repeated high addresses to King William, and her present majesty; nevertheless it were to be wished, that all that have taken the oaths, and have made those solemn promises, would likewise take care not to give people any occasion to think that in their hearts they do still lean towards St Germans, and which people will suspect, if they see them forward to palliate the greatest excesses, and the worst things that were done in that late popish reign, and to lessen the dangers the church, laws, and liberties of England were in at that time; and that in contradiction to what they themselves, and the whole three kingdoms, did then think of them; or to reflect spitefully on the late revolution in which they rejoiced so much at first, and on that great prince's memory, who, under God, was the author of it; or to rail at the Dutch for having exposed their own states to imminent danger, to save us from ruin; or to speak kindly or honourably of those who were the tools of popery, in the high commission court, in Westminster-Hall, and in other places; the most of which were at that time despised by the whole nation for their ignorance, and for their insufficiency for the posts they were in, and who were all abominated by the whole na-

tion, for their base compliance and treachery; or to discover but little affection for the august house of Hanover, and no great good will to the queen's allies, and, namely, to the Austrian King of Spain, on whose good success the whole trade of England does visibly depend; and to shew great moderation towards the persons of popish dissenters, and at the same time condemn moderation, name, and thing, if shewed in never so low a degree towards dissenting protestants. For though all this may be, without any formed intention of bringing in that pretended prince, yet it will always look so like an inclining toward him, as to keep his friends both here and at St Germans in heart, whose known small numbers would otherwise make them grow weary of his cause, and to throw it up, as a game lost beyond recovery; and did the protestant jurors but know the severe reflections which are made on that dialect by the non-jurors, protestant and popish, when they are together by themselves, it would certainly oblige them to change it, and to speak in a dialect more consonant to their oaths, abjurations, prayers, and promises, and that to the great quiet of her majesty's reign, and to the security of her sacred person, and of the religion, laws, and liberties of England, and likewise of their own honours and estates. As to the protestant dissenters of all sects and denominations, whether they have taken the oaths to the queen, and the abjuration or not, what has been said to other protestant jurors and non-jurors is so manifestly applicable to them, that there is no need of repeating it, to make so easy an application: I shall therefore here only note, that as the protestant dissenters, by the forward compliances of many of their numbers with the arbitrary measures and commands of the late popish reign, did lose themselves very much with the people of England, so, should they offer to bring in a popish king, either upon England or Scotland, they will by it certainly bring a total ruin upon themselves and their sects, either from their popish king, if they establish him, or from the three kingdoms, if they do attempt it and miscarry.

I know but of one objection of any weight that can be made against any thing that is said in this paper; and that is, that the excluding of the pretended King James the Third, and all other papists, from the crown, may entail a war upon the kingdom. I answer, and may not the excluding of the house of Hanover, which has now a legal title to the crown, and has farther, the oaths of the whole kingdom almost to maintain their right to it, entail a much more dangerous war upon England, considering that the heir to the crown out of that august family, besides his being a protestant, will have large dominions of his own, and which are full of stout men; neither will he want treasure and powerful allies to enable him to carry on such a war; whereas his rival will be a papist, and being in the condition of a private subject, must for succours depend wholly on the French, a nation so odious to the English, and who will never, out of justice, or out of kindness for any person whatsoever, be at any expence either of men or money, any farther than they do judge it to be for their own interests; and of this, their carriage towards King Charles the Second, when he was an exile among them, is a fresh demonstration, as the Dela Cerdas are a clear instance how difficult a thing it is for one, after he is reduced to a private estate, ever to make any thing of his having in him an undoubted title to the crown, which the family of the Dela Cerdas have plainly had in it for several ages to the crown of Spain; but if the chief danger here is reckoned to be, not from that pretended prince and his heirs, but from his sister, who may be married to the Duke of Berry, or some other prince of the blood, who may come to the crown of France; as that is a very remote danger, so, were it near, it could not be very great, seeing that lady and all her heirs are, by a law of the land, excluded from the crown of England, as the King of England, by the salique law, is excluded from the crown of France, to which, were it not for that law, he would have an undoubted right; and why limitations made to the succession to the crown of England by a law should not be as valid as limitations made by a law to the

succession to the crown of France, it will be hard to give a reason, unless the French, and no other government, have the privilege to make such limitations; or unless the legislative, which twelve hundred years ago had power to make such limitations, has now lost that power.

There is one thing I have long wondered at, and so cannot but take notice of it here, and that is, that France, to whom such a law may be a great disadvantage, yet should have it, and that England, Spain, and the other European kingdoms, to whom it would be a great security, should be without it: For if the crown of France should happen, by such marriages, to fall to any foreign king, France, in which that foreign king would certainly live and keep his court, would by that means have all his ancient dominions come under her, as little more than so many provinces; no less than, if by such marriages, other crowns should happen to fall to that of France; and had Spain made such a law, with relation to France only, for it might not have been well to have extended it to kingdoms which were less than herself, as Portugal did to all foreign princes, and owes to it her having a native on her throne at this time, Spain had not needed to have troubled herself with laborious renunciations, when she married her infantas into France, and which renunciations she had no reason to expect France would observe, nor had Spain, and all Europe, been in the distracted condition they are in at this time: And as it had been happy for Spain, and all Europe, that her kings, instead of framing vain renunciations, when they married their daughters into France, had called a cortes, and made a law against any infanta who is married to a prince of the blood of France, and her heirs by him, succeeding to the crown of Spain; so, why Spain, England, and all the other European kingdoms, should not yet make such a law concerning their daughters, and their heirs by any prince of the blood of France, I can see no reason, unless they reckon it would be no unhappiness to them to become provinces to France, or to be disturbed for refusing to submit to it.

But let this be as it will, England must certainly be so infatuated, as to be grown weary of the protestant religion, and of liberty, and secured property, and of trade and wealth, and of a figure in the world, before she will suffer a papist from any country, and least of all from France, to mount her throne; whilst she, with her own whole strength, and that of her protestant allies, is able to keep him out of it.

For that the church of England, considering the known spirit of popery, cannot, without a miracle, be long preserved under a popish king; if he may not be resisted, will be granted by all thinking men; who cannot but know, that a popish king, if he be not controuled in any thing, that his religion and his priests will drive him to do, must in a short time infallibly extirpate the protestant religion out of England, reckoning it to be the best and the most meritorious work that he can do: Neither would laws, though the church of England had all that she could desire for her security, signify any thing to her in that case, seeing they would not be looked on as laws by that prince; but the establishments of heresy, the worst of all iniquities: Neither would his having taken an oath to observe them signify any thing; since the pope would not only dispense with him, but would command him to break that oath, as the only atonement he could make for having taken it: So that if any will believe that a popish king might be kept from acting thus, by some other methods, than that of a superior armed force, I can only wish that they may never be undeceived; since nothing, it seems, can do it but another trial. And though it is true, that in the times of popery, England had liberties, and made a considerable figure in the world, and had some trade and wealth, yet, that as things are now, popery cannot possibly be introduced into England, but with the total destruction of all those great advantages, may easily be demonstrated.

For as to liberty and property; considering that strong aversion which there is all over England for popery, and the known zeal of the English clergy against it, and which is accompanied with great learning, and a singular talent in preaching; and how many of the nobility and gentry have the main of their estates in abbey lands, and

which they can never reckon to be safe when popery is upon the throne, it cannot be imagined possible for popery ever to be brought into England with the consent of a duly elected and free parliament: Popery must therefore either never be introduced into England, or it must be brought into it by an armed force too great for England to resist: And as the legal constitution of our government must be broke to pieces by that force, because it can establish popery, so that being once destroyed, which is the only support and guard of the English liberties, those great advantages must necessarily fall with it: For the king that can arbitrarily destroy all the laws that are against popery, and establish it in England, may, after that, do what he will in it; and may with much ease trample upon *Magna Charta*, and all the other charters and fences of the English liberties and properties; besides, is it not visible, that for above an age the pope and popish kings have all been in a conspiracy, every where to destroy all the ancient liberties and privileges of subjects, the kings having undertaken to reduce all their subjects to a blind and slavish obedience to the pope in spirituals; and the popes, to requite the kings, do by their agents make all their subjects slaves to them in temporals? So that if the pope, and the popish kings, do not quarrel by encroaching upon one another's provinces, slavery, both of mind and body, is for ever entailed upon all popish subjects.

As to the great figure which England makes in the world at this time, it is solely owing, under God, to that prodigious wealth which is brought into her, by her great trade; and, which is a consequence of that, to her being so populous: To both which extraordinary advantages the introducing of popery into England must be of fatal consequence; for besides, that the destroying of liberty and property must necessarily ruin industry and trade, as is plain from the little or no trade or industry there is in the most fertile, and for trade, the most commodiously situated regions in the world; and that for no other reason, but because liberty and property are not secured in them: So, considering that there is not one in ten thousand of the trading and manufacturing people in the nation that are papists, or disposed to be so, should popery be introduced, most of them would first send their stock out of England, and afterwards follow it themselves; or suppose they should be violently hindered from flying, as they were in Queen Mary's reign, yet as it would not be possible now, no more than it was then, to keep a great many from getting away, so they that were kept in England against their minds would be so discouraged, that they would have no heart to carry on the trade and the manufactures as they did before; and when persecuting and burning for religion was once begun, and which would not be long after popery was established, the trading and manufacturing part of the nation would either be drove out of England by their fears, or, if detained in it, would be made so uneasy by the terrors they would be under, as to lose that composed and sedate state of mind, without which trade and manufacture cannot be managed and carried on with advantage; and as the loss of our trade must much depopulate us, so popery has many depopulating, idle, inseparable companions attending it.

And if this would certainly be the state of England under popish kings, though they made no use of French succours, if they might not be resisted, let them do what they will; and can it be worth while to bring in a popish king, and then resist him as soon as he will give occasion for it; how much easier and shorter the work of introducing popery would be to a popish king, brought in and supported by the power of France, I leave to all protestants to consider, and which I do heartily wish may be duly considered by them in time, that it may be prevented, that the queen may have a happy and undisturbed reign, and that that thick and dark cloud which hung over England sixteen years ago, may return no more to terrify her, and the whole protestant world, and none more, nor much sooner, than those who have been instrumental in that revolution, if they do not turn papists.

Reasons against restraining the Press. 1704.

"As it is impossible that every article in collections of this kind should be suited to every taste, a pamphlet on so trite a subject as the liberty of the press may give disgust to those who expect and require to be regaled on such topics only, as, though old in point of date, are new to them: But as this Tract happens to be writ with a superior spirit and manner, the editor has ventured to insert it notwithstanding, in hopes to receive the thanks of the few, though he incurs the censures of the many." Thus far the former Editor. The object of the present Tract is to meet the reiterated complaints of the Tories against the frequent publication of freethinking disquisitions. The Tract is likely to have been written by Toland or Tindal.

If any restraint is to be put on the press, it must be either on a religious or civil account.

All that can be pleaded for it on the score of religion, is, that 'tis necessary to prevent men's being led into error; and as a consequence of that, nothing is to be printed that may tempt them to question the truth of any part or point of the established religion.

In order to answer this, I must beg leave to observe, that nothing is more certain than that God does not require of men impossibilities, as a means to obtain their future happiness; and consequently all that he desires of them, is to use their rational faculties after the best manner they can, for the discovery of his will. He therefore that does this, though never so much mistaken, is as acceptable to God, who is no respecter of persons, as he that's not mistaken, since he has done all God requires of him, and the other could do no more.

To affirm his mistakes are sinful, is to make God the author of sin, in so framing his understanding, that after he had done all he could to avoid error, he necessarily fell into it. And if it be the height of impiety to condemn one of sin for obeying God's commands in impartially examining, it can be no less impious to affirm the opinion unavoidably caused by so doing to be a sin.

How happy would men be, if, notwithstanding their difference of opinion, they would allow on all sides, that impartiality and sincerity were sufficient to recommend them to God, and by consequence to one another? Going a step further than this, justifies the severest method of the inquisition: For if men can be guilty of impiety, blasphemy, and other damnable opinions, though on the strictest examination they judge them agreeable to the will of God; and if it be the duty of those that are in power in every nation to prevent this, they are bound to restrain not only the liberty of printing, but of preaching; and to use the severest methods they can, to hinder the spreading of whatever they apprehend to be such opinions. But,

If God will judge men as they are accountable, that is, rational creatures, their reward, whether they hit or miss of truth, will be in an exact proportion to the use they make of their reason; and consequently no opinion can be a sin, but for want of an

impartial examination; and according as that has been more or less omitted, so one is more or less accountable.

If this, how paradoxical soever at first sight it may appear to some, is upon examination demonstratively true, what can be more unreasonable, than on pretence of preventing the growth of dangerous errors, to restrain the press, and thereby hinder men from seeing, and consequently from examining the reasons that make against the established religion, when, without an impartial examination, let our religion be never so true, we hold it guiltily, and with it, though never so false, innocently? But

What can be more inconsistent with this grand duty of examination, than a restraint on the press, since there can no other cause be assigned why 'tis unlawful to publish arguments against the state religion, but because 'tis unlawful to read them, that being the sole reason of forbidding the publishing of them? And if it be once supposed unlawful to read, it must be as unlawful to hear or think on any thing that inclines one to question the truth of any part or point of the national religion: And consequently it makes it every one's duty, in all countries whatever, to profess that without the least examination. But,

If one has no reason to expect a heaven, who will not be at the pains to examine what 'tis God requires of him, in order to his coming there; what a condition must he be in, who not only neglects this himself, but labours to obtain a law to make all others do the same?

The examining the reasons on all sides (for prevention of which the press is to be restrained) not only makes the mistaken acceptable to God, but is the only method that can be taken to prevent mistakes; for which end God has commanded every one to judge of himself, to try the spirits, to prove all things, &c. And therefore those divines that are for men's trying nothing, or knowing nothing, but what pleases the licensed guides in every country, give God himself the lie after the worst manner that can be. And

The more people are subject to mistake, the less reason there is to rely on any one side, but with care and diligence to examine the reasons of all, and consequently the press ought to be open to all. And when a discourse is printed, men, by viewing and reviewing it, may form a better judgment than when 'tis only spoken.

In answer to this, 'tis said and alike said every where, that men may have an impartial information from the clergy of the established church. But

Are not they under a greater restraint than others, being obliged to profess those opinions to which their preferments are annexed, or else to starve? So that in this case, 'tis not the man, but the bishoprick, the deanery, the prebend, the rectory, that preaches and prints *nemine contradicente*, popery in one place, Lutheranism in another, Calvinism in a third; and they possibly may think it but fair to maintain such opinions as maintain them; though, to speak the truth, the opinions generally maintain the priests better than the priests maintain the opinions. Are men so bound and shackled likely to give a fair representation of what can be said against them, when the only cause they can alledge for restraining the press, is to hinder people from knowing it? Do not the blind lead the blind, when the guides on which others are wholly to depend are not trusted to guide themselves?

In a word, all other methods but this of examining, will equally serve to promote any religion, though never so false, and consequently cannot be the way to distinguish the true from the many false ones; but are the pious frauds and holy cheats of not very pious and very holy men to keep the people in a blind obedience.

As this method is the only way to discover truth, so 'tis this that makes it most effectual: Where men without examination entertain a religion, it will have but little influence on their practice. What does not convince the understanding can have but a small effect on the will: And as far as the reasonableness of an opinion is seen, so far only can it operate on a rational creature; and the more examination renders it so,

the more force it will have on the affections, which are not moved without some sensible connection between the cause and the effect. For this reason thinking men, truth being endeared to them as the discovery of their own industry, are for the most part very conscientious; while those that owe their religion to the chance of education, have generally no more regard to it, than if they owed it to the chance of a die. If then the freedom of the press contributes not only to endear truth when discovered, but to the discovery of it; and if that fails to make even error itself innocent, all the arguments on the account of religion do most religiously contend for its entire liberty. To which let me add, that

The noble art of printing, that by Divine Providence was discovered to free men from the tyranny of the clergy they then groaned under, and without which the protestant religion must have proved abortive, ought not to be made a means to reduce us again under sacerdotal slavery. And,

If our ancestors could not secure themselves from more than Egyptian bondage, which the pulpits brought on them, without the assistance of the press, what hopes have we to defend ourselves against both, when by the means of the latter the clergy have much greater opportunities, as well as abilities, to accomplish their designs?

The restraint of the press is consistent enough with popery; but for protestants to attempt it, is striking at the foundation of their religion, which is built on the natural right every one has of judging for himself in matters of religion. But what can savour more of a blind popish compliance, than so entirely to give up the conduct of religion to a few licensing priests, as that nothing shall be published but what they think fit? The learned Dr Clagget saith, (and after the same manner do all our clergy write, when they have to do with the papists) — "They that have a good cause will not fright men from considering what the adversaries say by their books, but rather encourage them so to do, that they may see the difference between truth and error, reason and falsehood, with their own eyes. This is the effect of a well-grounded confidence in truth; and there's the sign of a good cause apparently discernable in the application of the clergy of the church of England, both to their friends and enemies. They desire the one and t'other to consider impartially what is said for us, as well as against us; and whensoever guides of a party do otherwise, they give just cause to examine their doctrines more carefully, by how much they are unwilling to have them examined. 'Tis a bad sign when men are loth to have their opinions seen in the day, but love darkness more than light."

Every one thinks he has a natural right in all matters of learning and knowledge, except what relates to religion and government, to see what can be said on all sides, in order to form his judgment aright; and there can be no reason why these should be excepted, since to have a right understanding in them, is what is most worthy a rational being.

The more useful any science is to mankind, the greater will its abuses be: Divinity, law, physick, are sad instances of this. But how can these abuses be discovered, if the press be in their hands that gain by them? What can be more useful than history, especially of one's own country? And can we expect a true information, when only one side is to print? And there are few persons, especially at a distance from London, but would think it a hardship to be deprived even of such trifles as the common newspapers, which would not be allowed under a restraint of the press. Nay, we could not then hope for an impartial account even in natural things, since an evident truth in philosophy has been thought a monstrous error in divinity; and a rational discourse on any subject may be hindered from being printed, lest, as the late Bishop of W——r said of the most rational that ever was writ, it might be applied to other uses than what the author designed.

¹ Persuasive to an ingenuous Trial, p. 28.

² The Essay of Human Understanding.—Orig. Notes.

Nothing can more discourage men of abilities from writing, than to subject their discourse to the mercy of an ignorant, or at least an unleisured licenser: Such an hardship on the commonwealth of learning, will be apt to make an *imprimatur* signify no more, than that the book is foolish enough to be printed.

As the people retain a right to offer their advice to their representatives, so there cannot but happen several things, wherein they may receive satisfaction from what is published by those without doors (as happened in the case of the standing army, and several other matters) which may in a great measure be hindered by the licensers of the press being influenced by those who have an interest to stifle truth.

In a word, as many things as are worth understanding aright, so many arguments are there for the liberty of the press, though the only reason that is pleaded for its restraint upon a civil account, is to prevent false representations of people's designs and actions, especially such as are dignified with a publick character. But,

Though this may be done by speaking, who ever thought it reasonable, that all but one party of men should have a padlock on their lips? And yet this is all that's meant by a restraint of the press, since what is to be printed is left to the arbitrary will of men of this or that party. And there can be no manner of reason, why writing and talking should not be on the same foot, since what's contrary to law is in both cases equally punishable; and a restraint of the press cannot hinder books from coming out by stealth.

What can be more unconscionable, considering how the nation is divided, than to have all but one party restrained from writing in their own defence, whilst that is at liberty to use them as barbarously as they please? With what unchristian temper and inhuman insolence will party-men treat those they are employed to write against? And what misrepresentations, lies, and calumnies will they not then be guilty of? 'Tis the danger of being detected and exposed that makes men write with more temper, as well as more regard to truth.

If the honourable House of Commons have, upon a solemn debate, thought fit to publish their proceedings to prevent being misrepresented, why should they deny those they represent the same liberty? And when both houses have thought it necessary to print, (and one may venture to add, that neither house, without this liberty, would have thought their reputations safe) it cannot be presumed that either house will be putting such a hardship on the nation.

As honour and reputation secure their votaries from committing ill and base actions, so they incite them to all good ones; but if the press be in the hands of designing people, it may have a quite different effect, and be wholly employed to traduce, as it was in former reigns, the best men both in church and state. And

It will be a great encouragement for men above the ordinary reach of the law, to crush those beneath them, when the press shall speak only in their favour, and the injured are deprived of the last satisfaction that oppressed virtue has, of appealing to the people, and justifying their innocence to the world. And therefore I cannot see how one, that has any value for his reputation, will be content to run the hazard of having it put out of his power, to justify himself as publickly as he is injured. Whether what is said of truth, that none is against truth but where that is first against them, may be applied to the press, I will not determine; but those whose actions cannot bear examination, will, no doubt, be glad of its restraint, and possibly may add iniquity to iniquity, by pretending they desire it out of affection to the government, or zeal to the church.

The restraining the press may not be so much for the interest of any party as some fondly imagine; because their being for it, will be apt to make men believe the very worst things their enemies say to be true; and that 'tis the fear of having their per-

icious designs discovered, which makes them take a method, that till now they themselves opposed, and which in former reigns was made us of to advance slavery and pery. But,

“If this be of no weight, let it be considered, that the press, jackanapes-like” (as a Scots gentleman said of their king) “may be made to bite whomsoever they, in whose custody it chances to be, think fit;” and a restraining law no sooner made, but the scene of affairs may so alter, that the party which promoted it may be scourged with rods of their own providing, and be themselves debarred of that liberty they designed to exclude others from. And possibly some may be glad of such a bill, the better to deprive them of those advantages, which without it they would not think prudent to attempt. But though this might not be the consequence at present, who can be sure in what hands the press hereafter may be placed?

As the chief happiness, as well as dignity of rational creatures, consists in having the liberty of thinking on what subject they please, and of as freely communicating their thoughts, so all good governments that have allowed this freedom, were so far from suffering by it, that it wonderfully endeared them to their people. And no ministry can be hurt by the liberty of the press, since they have a number of dependants, ready upon all occasions to write in justification of their conduct; nay, to gild over the worst of their actions, and give a fair colour to their most pernicious designs; and at the same time so to misrepresent the true patriots of their country, that the people their real friends, being deprived of the liberty of publickly justifying themselves, may mistake them for their enemies, and caress those that are truly so.

The liberty of the press must keep a ministry within some tolerable bounds, by exposing their ill designs to the people; with whom, if they once lose their credit, they will be very unfit tools for a court to work with. But

The arts of state in most places being to enslave, or keep the people in slavery, it became a crime to talk, much more to write, about state matters. And the press in most countries of Europe speaking nothing but court language, the people, who till the invention of printing, had tolerably well preserved their liberty, were by degrees gulled and cheated out of those inestimable blessings. And there’s nothing, either with respect to religion or politicks, so destructive to mankind, but may be made, where the pulpit and press conspire together, to pass for divine truths.

The slavish condition the greatest part of mankind in all ages have been in, shews how much they have been wanting to themselves in not taking alarm soon enough at the chains that were preparing for ’em. And as there are few, very few instances of people’s having perceived the intended slavery soon enough to prevent it, so there are fewer instances of their having taken arms, but upon very just occasions.

In a word, as there’s no freedom either civil or ecclesiastical, but where the liberty of the press is maintained, so wherever that is secured, all others are safe. That, like a faithful centinel, prevents all surprise, and gives timely warning of any approaching danger. And therefore ’tis to be hoped, that the trustees of the people’s liberties will preserve its freedom entire; for if its sacred liberty is but once affected, though by never so gentle a law, ’tis to be feared that this will be used as an argument to restrain it as much as ever; for then ’twill be easy to engraft a new law, on pretence that the old did not answer the end, as we see ’twas urged in the case of the Conformity Bill.

As to the obliging authors to set their names to their works, that can only serve to hinder the publishing the most useful books, viz. those designed to rectify abuses. Besides, this prejudices people for or against a book, and serves as a handle for fulsome flatteries, or gross abuses; and we have too frequent instances of men’s thinking to atone, for not answering the arguments, by railing at the authors. And therefore those writers, such as the author of “*The Whole Duty of Man*,” &c. that design the utmost good, have industriously concealed their names.

A Catalogue of Books to be sold by Auction near St James's.

This lampoon is of whiggish manufacture. It would be difficult to fill up all the blanks.

1. An Argument proving the Cevennois Rebels. By Earl of Nottingham.
2. Reasons for banishing all Protestant Dissenters, and for a Comprehension between the Church of England and the Church of Rome. By Sir J—— P——. In fol.
3. Solomon's Fool, or the Art of Political Thinking. By Ld G——. In 3 vol.
4. The Fortunate Pimp. A Novel. Dedicated to H—— G——. By Mr W——t, Doorkeeper to the Treasury. In large octavo.
5. The Excellency of Vigo Snuff. By Sir E—— S——. In 3 vol.
6. An Argument against Periwigs, and the Use, Legality, and Beauty of natural Hair. By H—— B——, Esq. G—— D——, and Sir M—— D——.
7. The great Advantage of early Whoring. By Mrs S—— I——.
8. A Letter from Hell. By the Lord Chancellor Jeffreys to Ld C—— B—— W——, relating to James Taylor's standing in the Pillory. In quarto.
9. An Encomium on Temporizing, dedicated to A—— H——.
10. An Historical Account of the great Actions, Fights at Sea, and wonderful Knowledge of the present A——ty. By G—— C——, Esqrs. dedicated to R—— H——.
11. The Method of poisoning Sailors with bad Provisions. By T—— C—— and H—— V——, Esqrs. dedicated to the P——s Council. In 3 vol.
12. A Dialogue between Ch——r M—— and L. N——, concerning the Portugal League. Dedicated to the Parliament.
13. The whole Art of War, of encamping, entrenching, retreating, and running away. By the Baron D'O——m. Dedicated to D. M——.
14. Of the Legitimacy of the Prince of Wales. By the Lady T—— B.
15. The History of the ragged Serpent. By Tho. E——, Esq. late Commissioner of the Excise, and present Commissioner of the Duties on Salt. 2 vol.
16. The Nature of splitting Offices. By the R. H. J— H—— dedicated to Wagadary. 2 vol.
17. Of Modesty and Temper of Mind. By the same Author.
18. A Discourse of Political Divinity. By the Reverend D. B——h. Dedicated to the B. of L——. 10 vol. folio.

A Catalogue of Books to be sold by Auction at the City-Godmother's, in Mincing-Lane, on the 29th of May next, being the Anniversary of the Restoration of Blessed Memory.

1. Soap and Suds: or, The Æthiopian's Address to the Queen of Sheba for a little of her Majesty's White-Wash.

2. Fair Play; or the House of Commons vindicated from the Charge of Injustice and Tyranny, in refusing a new Election to the Town of Maidstone in Kent, in 24mo. Written by the Right Honourable Robert Harley, Speaker to the H. and C. and dedicated to the Kentish Petitioners.

3. The Eagle and Fly; a Fable occasioned by the H. of C. Order for taking the Observator into Custody.

4. Puss in the Corner: or, The old Game revived. A Comedy, as it was acted in St Stephen's Chappel by the H. of C. Written by Heraclitus Ridens, and dedicated to Harry St John.

5. The Usefulness of Corinthian Brass. By the Right Honourable John Howe, Esq. dedicated to the Com—er of her Majesty's Household, 10 vol. in fol.

6. The Tale of a Tub: or, The Art and Mystery of poisoning Reputations by Impatchments without Prosecution. Dedicated to the Commons.

7. A Pindarick Ode in Praise of Darkness, clean Straw and Water-gruel. Written for the Use of the H. of C. By Mr Prior, at the Desire of a noble Peer. In fol.

8. The Excellency of Wooden Shoes, Pottage, and Fetters; To which is added, the Usefulness of an Inquisition in England, for the better Establishment of High-church. By Sir Humphrey Mackworth.

9. Of Patience under Sufferings, in 5 vols. octavo. By H. St John, Esq. occasioned by his losing 500l. on the Lords damning the Occasional Bill.

10. A Hymn to the Praise and Glory of High Church. By Sir J. Packington, dedicated to Jonathan Trelawny, Bishop of E——

11. The Art and Mystery of Gingerbread-making: or, Gingerbread improved by the indefatigable Care and Endeavour of the Lower House of Convocation; together with an Account of their great Zeal for the Church and Religion. By Heraclitus Ridens.

12. Passive Obedience kicked to the Devil by the Lower House of Convocation, being an Account of their humble and dutiful Carriage to the Upper House. To which is added, a Comparison between the first Fathers of the Church, and the latter. In a Letter written by Mr John Toland to Andrew Marvel, Esq. at his Mansion-house in Elysium.

13. England's Glory retrieved: Being a Congratulatory Poem on the signal Courage and Success of those two great Commanders, the D. of M. and Sir G. R. Translated from the Original of Monsieur Poussin, and dedicated to the Suburbians of Wapping and Hockley in the Hole. In 24mo.

14. Sailing Orders; or Battle without Bloodshed: Being Part of some Political Maxims written for the Good of Old England, and Safety of his Majesty's Subjects. By the Earl of Nottingham, and containing a full Vindication of Admiral Grayden, and Sir J. Munden. Dedicated to the Heirs and Executors of Admiral Benbow, deceased. In 24mo.

15. The Art of Secrecy. By Her Grace the Duchess of Marlborough. Dedicated to the Widow and Children of Monsieur Frenan, late Governor of Dunkirk.

16. Of Humility and Self-denial. In small 12mo: With a Comparison between Windsor Venison and St Albans Mutton. By the same Hand.

17. Bowling and Building, the two great Qualities of Statesmen: With a Pindarick Ode in Praise of Swearing and Gaming. By His Grace the Duke of Buckingham. In 4 vols. in folio, large paper, gilt.

18. The Insipidness of Old-fashioned Virtues, or the Advantages of being an early

^a He was remarkable for his taste in bowling; hence Pope's line,

“Some dukes at Marybone bowl time away.”

He built Buckingham House, in St James's Park.

Rake. To which is added, by Way of Appendix, The Necessity of occasional Conformity to Whoring and Gaming. By his Grace the Duke of Bedford.

19. The Way to Preferment, being a choice Collection of Ribaldry, Defamation, and Scandal, on the Memory of the late King William.

20. Scaramouch, or the Church's Scarecrow. By a Priest of the Order of St Alphege.

21. Harlequin, or the Humours of High Church; a Farce, as it was acted, with Applause, before the University of Oxon. By Mr Sacheverel.

22. The Church supported, and Piety promoted, by the Sunday's Cavalcade to Hyde Park; being an elaborate Piece of the Right Hon^{ble} the Lord C——y, and written in his Coach *en passant*.

23. The Chameleon to that Famous Civilian, Dr Davenant, occasioned by his late Essays.

24. Two Treatises; the one of Fair Dealing, the other of Good Breeding. By Sir Sim——ll. Dedicated to Mr D. Defoe.

25. Rostorum Fulcimen, or some new Essays for the better Reputation of the Pulpit and Playhouse. By George Powel, Servant to her Majesty.

26. Good Housekeeping. By Sir Samuel D——d. Dedicated to the Coxcombs that chose him Lord Mayor. In 24mo.

A true List of the Tackers.—Of the Lords Spiritual and Temporal, and also of the Commons, who voted against the Bill of Occasional Conformity; to which also are added the Proxies.

The Tackers was a well-known party epithet for the high-church members of the House of Commons, who endeavoured to secure the passing of the bill against occasional conformity through the House of Peers, by tacking it to the land-tax bill, and in that shape sending it up to the upper house, who must, in that case, either have passed this favourite measure, or thrown the whole government and country into confusion for want of the supplies for the year. In 1704, after a warm debate, the tack was rejected by a great majority.

Note.—Those persons marked thus (*) were for the bill of occasional conformity.

A List of the Lords Spiritual and Temporal.

* Lord Treasurer
* Lord President
* Lord Privy Seal

Bedford
* Marlborough

Bridgewater
* Northampton
Denbigh

Dukes.

Leeds

Earls.
* Jersey, then L. Chamberl.
Kent

* Winchelsea
* Carnarvan
* Carmarthen

* Thanet
Scarsdale
Anglesey
Sussex
* Nottingham
* Rochester
* Abingdon
Plymouth

Viscounts.

* Weymouth
* Longueville, since dead.

Barons.

* La Ware
Chandos
Pawlet
Byron

Osborn
Dartmouth
* Stawell
* Guilford
Ashburnham
Bernard
* Weston
* Granville
* Guernsey

Bishops.

York
* London
Winchester
* Rochester
* Chester
* St Asaph

Proxies.

Northumberland
Schomberg
Lindsey
Exeter
Sandwich
Bishop of Durham
Bishop of Landaff
Bishop of Exeter
Willoughby of Brook
Brook
Maynard
Leigh
Craven
Lemster
Gower
Conway

In all 38.

Against the Bill.

Dukes.

Devonshire
Somerset
Richmond
Southampton
St Albans
Bolton
Newcastle

Earls.

Derby
Leicester
Bolingbroke
Manchester
Rivers
Peterborough
Stamford
Sunderland
Essex
Feversham
Randor
Berkley
Portland
Torrington
Scarborough
Bradford

mney, since dead

Oxford

Viscounts.

Say and Seal
Townsend

Barons.

Abergavenny
Ferrers
Wharton
Paget
Howard of Escrick
Grey of Wark
Lovelace
Mohun
Vaughan
Colepepper
Lucas
Buckingham
Berkley
Cornwallis
Ossulston
Herbert
Haversham
Somers
Halifax

Bishops.

Canterbury
Worcester
Salisbury
Ely
Litchfield
Norwich
Peterborough
Lincoln
Chichester
Oxford
Bangor

Proxies.

Suffolk
Carlisle
Dorset
Burlington, since dead
Mountague
Coventry
Fitzwalter
Eure
Willoughby of Parham
Bishop of Hereford
Bishop of Gloucester
Bishop of Bristol

In all 71

The question being carried for rejecting the bill, the following peers thus (*) marked entered their dissent.

Godolphin	Nottingham	Weston
Rochester	Abingdon	Carnarvan
Buckingham	Longueville	Carmarthen
La-Ware	Weymouth	Stawell
Thanet	Guilford	H. London
Northampton	Granville	G. St Asaph
Marlborough	Guernsey	N. Cestrien
Winchelsea	Jersey	

A list of those worthy patriots, who, to prevent the church of England from being undermined by the occasional conformists, did, like truly noble Englishmen, vote for the bill to prevent occasional conformity.

<i>Names.</i>	<i>Places.</i>	<i>County.</i>
John Anstis, Esq.	St Germain	Cornwall
James Anderton, Esq.	Ulcester	Somerset
Arthur Annesley, Esq.	Cam. University	Cambridge
Sir Edward Acton, Bart.	Bridgenorth	Salop
Thomas Bulkley, Esq.		Carnarvan
Robert Byerley, Esq.	Knarborough	York
Robert Bertie, Esq.	Westbury	Wilts
Henry Bertie, Esq.		
Charles Bertie, Esq.	Stamford	Lincoln
James Bertie, Esq.	New Woodstock	Oxon
Sir Edmund Bacon, Bart.	Orford	Suffolk
Sir Charles Blois, Bart.	Dunwich	Suffolk
John Bence, Esq.	Ipswich	Suffolk
— Bilson, Esq.	Petersfield	Southampton
Sir Jacob Banks	Minehead	Somerset
William Bromley	Oxon University	Oxon
Sir Geo. Beaumont, Bart.	Leicester	Leicester
Orlando Bridgeman, Esq.	Wiggan	Lancaster
Sir Cha. Barrington, Bart.		Essex
Sir Henry Bellasys	Durham City	Durham
John Banks, Esq.	Corfe Castle	Cornwall
Sir Henry Bunbury, Bart.	Chester	Chester
Richard Bingham, Esq.	Bridport	Cornwall
James Buller Esq.		Cornwall
William Cage, Esq.	Rochester	Kent
William Cary, Esq.	Launceston	Cornwall
John Courzon, Esq.		Derby
Thomas Coulson, Esq.	Totness	Devon
Arthur Champneys, Esq.	Barnstable	Devon
John Comyns, Esq.	Malden	Essex
Charles Cesar, Esq.	Hertford	Hertford
Robert Crawford, Esq.	Queenborough	Kent
William Cecill, Esq.	Stamford	Lincoln
Sir Walter Clarges, Bart.	Westminster	Middlesex
William Coward, Esq.	City of Wells	Somerset
Henry Chyvers, Esq.	Calne	Wilts

<i>Names.</i>	<i>Places.</i>	<i>County.</i>
Sir Thomas Caffin, Kt.		Dorset
Sir William Drake	Honiton	Devon
George Dashwood, Esq.	Sudbury	Suffolk
John Drake, Esq.	Agmondesham	Bucks
Lewis Dimmocke, Esq.		Lincoln
Richard Dyott, Esq.	Litchfield	Stafford
Earl of Dysert		Suffolk
Sir Robert Davers	St Edmondsbury	Suffolk
James Darcy, Esq.	Richmond	York
Sir James Etheridge	Great Marlow	Bucks
William Elson, Esq.	Chichester	Sussex
Richard Fowne, Esq.	Corfe Castle	Dorset
William Fitch, Esq.	Malden	Essex
Ralph Freeman, Esq.		Hertford
Heneage Finch, Esq.	Maidstone	Kent
Charles Fox, Esq.	New Sarum	Wilts
Sir Samuel Garerd, Bart.	Agmondesham	Bucks
Henry Gorges, Esq.		Hereford
Richard Gulston, Esq.		Hertford
John Gape, Esq.	St Albans	Hertford
Sir William Glyn, Bart.	New Woodstock	Oxon
Francis Gwin, Esq.	Christ-church	Southampton
Joseph Girdler, Esq.	Tamworth	Stafford
Thomas Gery, Esq.	Coventry	Warwick
Francis Grevile, Esq.	Warwick	Warwick
Algernoon Grevile, Esq.	Ipswich	Suffolk
Frederick Hern, Esq.		
Nathaniel Herne, Esq.	Hardness	Devon
Richard Halford, Esq.		Rutland
Henry Holmes, Esq.	Yarmouth	Norfolk
Thomas Heath, Esq.	Haslemere	Surrey
Sir Christopher Hales, Bart.	Coventry	Warwick
Sir Richard Howe, Bart.		Wilts
Sir James Howe, Bart.	Hindon	Wilts
Robert Hyde, Esq.		Wilts
William Harvey, Esq.	Rygate	Surrey
Sir Tho. Hanmer, Bart.		Flint
Sir Willoug. Hickman, Bt.	East Retford	Nottingham
John James, Esq.	Brackley	Northampton
Sir Rob. Jenkinson, Bart.		Oxon
Robert Kemp, Esq.	Dunwich	Suffolk
Wilfred Lawson, Esq.		Cumberland
Sir Francis Leigh		Kent
Tho. Leigh, of Lime, Esq.	Newton	Lancaster
William Levinz, Esq.	East Retford	Nottingham
Henry Lloyd, Esq.	Cardigan	Cardigan
Sir Roger Mostyn, Bart.		
Thomas Mostyn, Esq.		Chester
Henry Manaton, Esq.		Flint
John Manley, Esq.	Tavistock	Devon
Sir John Mordaunt, Bart.	Bossiney	Cornwal

<i>Names.</i>	<i>Places.</i>	<i>County.</i>
Sir Humph. Mackworth		Warwick
John Mitchel, Esq.		Cardigan
Sir Edward Norreys	Sandwich	Kent
Francis Norreys, Esq.		Oxon
Charles North, Esq.	Oxon City	Oxon
Hugh Parker, Esq.	Banbury	Oxon
Sir John Packington, Bart.	Evesham	Worcester
Sir Henry Parker		Worcester
Granado Piggot, Esq.	Ailsbury	Bucks
William Pole, Esq.		Cambridge
Henry Poley, Esq.	Camelford	Cornwal
James Praed, Esq.	Westlow	Cornwal
Thomas Price, Esq.	St Ives	Cornwal
Thomas Polgrave, Esq.	Weobley	Hereford
Henry Portman, Esq.	Norwich	Norfolk
Sir John Parsons	City Wells	Somerset
Henry Pennel, Esq.	Rygate	Surrey
John Roll, Esq.	Wotton Bassett	Wilts
Thomas Rowney, Esq.	Saltash	Cornwal
John Snell, Esq.	Oxon City	Oxon
Sir Edw. Seymour, Bart.		Devon
Sir John Stonehouse, Bart.	Exeter	Berks
Peter Sackerley, Esq.		Chester
Charles Seymour, Esq.	Chester	Cornwal
Sir Hen. Seymour, Bart.	Westlow	Cornwal
William Seymour, Esq.	Eastlow	Cornwal
Francis Scobel, Esq.	Totness	Devon
Joseph Sawle, Esq.	Grampound	Cornwal
John Spark, Esq.	Tregony	Cornwal
Hugh Smithson, Esq.	Newport	Cornwal
William Stephens, Esq.		Middlesex
Sir Bryon Stapleton, Bart.	Medena	Southampton
Bertram Stote, Esq.	Boroughbridge	York
Tho. Strangeways, Esq.		Northumberland
Henry Thyn, Esq.		Dorset
Sir Edward Turner	Weymouth	Devon
Sir John Thorold, Bart.	Orford	Suffolk
John Toke, Esq.		Lincoln
Sir Richard Vivian, Bart.	East Grinstead	Sussex
George Vernon, Esq.		Cornwal
John Vaughan, Esq.	Haslemere	Surrey
Edward Vaughan, Esq.	Montgomery	Montgomery
Sir Geo. Warburton, Bart.		Montgomery
Sir John Williams.		Chester
John Ward, Esq.		Hereford
James Winstanley, Esq.	Bleechingly	Surrey
Sir William Whitlock	Leicester	Leicester
Leonard Wyssel, Esq.	Oxon University	Oxon
		Surrey

A List of these worthy Patriots, who, to prevent the Church of England from being undermined by the Occasional Conformists, did, like truly noble Englishmen, vote, that the Bill to prevent Occasional Conformity might be tacked to the Land-Tax Bill, to secure its passing in the House of Lords; so that this their zeal does appear to all wise men, as conspicuous for the interest, as their lives are ornaments to that church of which they are members. 1705.

<i>The Names.</i>	<i>Places.</i>	<i>County.</i>
John Anstis, Esq.	St Germain	Cornwal
James Anderton, Esq.	Ilcester	Somerset
Arthur Annesley, Esq.	Cambridge University	Cambridge
Sir Edward Acton, Bart.	Bridgenorth	Salop
Thomas Bulkley, Esq.		Carnarvan
Robert Byerley, Esq.	Knaresborough	York
Robert Bertie, Esq.	} Westbury	Wilts
Henry Bertie, Esq.		
Charles Bertie, Esq.	Stamford	Lincoln
James Bertie, Esq.	New Woodstock	Oxon
Sir Edmund Bacon, Bart.	Orford	Suffolk
Sir Charles Blois, Bart.	Dunwich	Suffolk
John Bence, Esq.	Ipswich	Suffolk
— Bilson, Esq.	Petersfield	Southampton
Sir Jacob Banks	Minehead	Somerset
William Bromley	Oxon University	Oxon
Sir George Beaumont, Bart.	Leicester	Leicester
Orlando Bridgeman, Esq.	Wiggan	Lancaster
Sir Charles Barrington, Bart.		Essex
Sir Henry Bellasys	Durham City	Durham
John Banks, Esq.	Corfe Castle	Cornwal
Sir Henry Bunbury, Bart.	Chester	Chester
Richard Bingham, Esq.	Bridport	Dorset
James Buller, Esq.		Cornwa.
William Cage, Esq.	Rochester	Kent
William Cary, Esq.	Lanceston	Cornwal
John Courzon, Esq.		Derby
Thomas Coulson, Esq.	Totness	Devon
Arthur Champney, Esq.	Barnstable	Devon
John Comyns, Esq.	Malden	Essex
Charles Cæsar, Esq.	Hertford	Hertford
Robert Crawford, Esq.	Queenborough	Kent
William Cecill, Esq.	Stamford	Lincoln
Sir Walter Clarges, Bart.	Westminster	Middlesex
William Coward, Esq.	City of Wells	Somerset
Henry Chivers, Esq.	Calne	Wilts
Thomas Caffin, Esq.		Dorset
Sir William Drake,	Honiton	Devon
George Dashwood, Esq.	Sudbury	Suffolk
John Drake, Esq.	Agmondesham	Bucks
Lewis Dimmocke, Esq.		Lincoln
Richard Dyott, Esq.	Litchfield	Stafford
Earl of Dysert,		Suffolk
Sir Robert Davers,	St Edmund's Bury	Suffolk

<i>The Names.</i>	<i>Places.</i>	<i>County.</i>
James Darcy, Esq.	Richmond	York
Sir James Etheridge,	Great Marlow	Bucks
William Elson, Esq.	Chichester	Sussex
Richard Fowne, Esq.	Corfe Castle	Dorset
William Fitch, Esq.	Malden	Essex
Ralph Freeman, Esq.		Hertford
Heneage Finch, Esq.	Maidstone	Kent
Charles Fox, Esq.	New Sarum	Wilts
Sir Sam. Garard, Bart.	Agmondesham	Bucks
Henry Gorges, Esq.		Hereford
Richard Gulston, Esq.		Hertford
John Gape, Esq.	St Albans	Hertford
Sir William Glyn, Bart.	New Woodstock	Oxon
Francis Gwinn, Esq.	Christ-Church	Southampton
Joseph Girdler, Esq.	Tamworth	Stafford
Thomas Gery, Esq.	Coventry	Warwick
Francis Grevile, Esq.	Warwick	Warwick
Algernoon Grevile, Esq.	Ipswich	Suffolk
Frederick Hern, Esq. }	Hardness	Devon
Nathaniel Hern, Esq. }		Rutland
Richard Halford, Esq.		Hampshire
Henry Holmes, Esq.	Yarmouth	Surrey
Thomas Heath, Esq.	Haslemere	Warwick
Sir Christ. Hales, Bart.	Coventry	Wilts
Sir Richard Howe, Bart.		Wilts
Sir James Howe, Bart.	Hindon	Wilts
Robert Hyde, Esq.		Wiltshire
William Harvey, Esq.	Old Sarum	Flint
Sir Thomas Hanmer, Bart.		
Sir Willoughby Hickman,		
Bart.	East Retford	Nottingham
John James, Esq.	Brackly	Northampton
Sir Robert Jenkinson, Bart.		Oxon
Robert Kemp, Esq.	Dunwich	Suffolk
Wilfred Lawson, Esq.		Cumberland
Sir Francis Leigh		Kent
Tho. Leigh of Lime, Esq.	Newton	Lancaster
William Levenz, Esq.	East Retford	Nottingham
Henry Lloyd, Esq.	Cardigan	Cardigan
Sir Roger Mostyn, Bart.		Chester
Thomas Mostyn, Esq.		Flint
Henry Manaton, Esq.	Tavistock	Devon
John Manly, Esq.	Bossiney	Cornwal
Sir John Mordaunt, Bart.		Warwick
Sir Humphrey Mackworth,		Cardigan
John Mitchell, Esq.	Sandwich	Kent
Sir Edward Norreys,		Oxon
Francis Norreys, Esq.	Oxon City	Oxon
Charles North, Esq.	Banbury	Oxon
Hugh Parker, Esq.	Evesham	Worcester

<i>The Names.</i>	<i>Places.</i>	<i>County.</i>
Sir John Packington, Bart.		Worcester
Sir Hen. Parket,	Alisbury	Bucks
Granado Piggot, Esq.		Cambridge
William Pole, Esq.	Camelford	Cornwal
Henry Poley, Esq.	Westlow	Cornwal
James Praed, Esq.	St Ives	Cornwal
Thomas Price, Esq.	Webley	Hereford
Thomas Polsgrave, Esq.	Norwich	Norfolk
Henry Portman, Esq.	City of Wells	Somerset
Sir John Parsons,	Rygate	Surrey
Henry Pennel, Esq.	Wotton Bassett	Wilts
John Roll, Esq.	Saltash	Cornwal
Thomas Rowney, Esq.	Oxon City	Oxon
John Snell, Esq.	Exeter	Devon
Sir Ed. Seymour, Bart.		
Sir John Stonehouse, Bart.		Berks
Peter Sackerly, Esq.	Chester	Chester
Charles Seymour, Esq.	Westlow	Cornwal
Sir Henry Seymour, Bart.	Eastlow	Cornwal
William Seymour, Esq.	Totness	Devon
Francis Scoble, Esq.	Grampound	Cornwal
Joseph Sawle, Esq.	Tregony	Cornwal
John Spark, Esq.	Newport	Cornwal
Hugh Smithson, Esq.		Middlesex
William Stephens, Esq.	Medena	Southampton
Sir Bryon Stapleton, Bart.	Boroughbridge	York
Bertram Stote, Esq.		Northumberland
Thomas Strangeways, Esq.		Dorset
Henry Thyn, Esq.	Weymouth	Dorset
Sir Edward Turner,	Orford	Suffolk
Sir John Thorold, Bart.		Lincoln
John Toke, Esq.	East Grinstead	Sussex
Sir Richard Vivian, Bart.		Cornwal
George Vernon, Esq.	Haslemere	Surrey
John Vaughan, Esq.	Montgomery	Montgomery
Edward Vaughan, Esq.		Montgomery
Sir Geo. Warburton, Bart.		Chester
Sir John Williams,		Hereford
James Winstanly, Esq.	Leicester	Leicester
Sir William Whitlock,	Oxon University	Oxon
Leonard Wyssel, Esq.		Surrey

A brief Account of the Tack : In a Letter to a Friend.

After mentioning the preparations made in the House of Commons to encounter and discharge the national burthens, Smollett gives the following account of the violent tory measure usually called the Tack :—

“The high-church party took this occasion to promote the bill against occasional conformity, which was revived, and brought into the house on a new model, by Mr William Bromley, who moved, that it might be tacked to the land-tax bill, and sent up to the Lords for their concurrence. The court no longer espoused this measure, and the violent party was weakened by defection. After a warm and tedious debate, the tack was rejected by a great majority. The bill, however, passed the House of Commons, and was sent up to the Lords on the fourteenth day of December, when it would hardly have excited a debate, had not the queen been present, and desirous of hearing what could be said on both sides of the question.—For the information and satisfaction of her majesty, the subject was discussed, and all the arguments being repeated, the bill was rejected by a majority of one-and-twenty voices.”—SMOLLETT’S *History of England*, p. 39.

To the sensible remarks of the writer of the following treatise, we need only add, that if the House of Commons, to their legitimate and constitutional right of exclusively proposing supplies, were entitled to qualify their grants, by *tacking* any favourite measure of a different description to their money bills, the whole power of the state would be thereby engrossed into their own hands

SIR,

I HAVE received the favour of your letter, in which you tell me strange news indeed ; for after all the noise that has been so long against the tackers, insomuch that most of them thought their safest way was to deny it in their several countries, yet now they seem to take heart again, and Mr B——, who, you say, is lately come down, undertakes to justify all that proceeding. The arguments he makes use of, you tell me, are these.

In the first place, he says, “The practice of occasional conformity is such a scandalous hypocrisy, as is no way to be excused upon any pretence whatsoever. That it is condemned even by the better sort of dissenters themselves. That the employing persons of a different religion from that established by law, has never been practised by any wise government, and is not allowed even in Holland at this day. That the sacramental test was appointed by the wisdom of the legislature, to preserve the established church ; which church seems in as much danger from the dissenters now, as it was from papists then. That this law being so necessary, and having been twice refused in the House of Lords, the only way to have it passed was to tack it to a money-bill. That it had been an ancient practice to tack bills that were for the good of the subject to money-bills. That while grievous taxes were laid upon the people for the support of the crown, the crown might in return pass such laws as were for the benefit of the people. That the great necessity there was for the money-bills passing, was rather an argument for than against this proceeding : For what danger could

there be, that the lords (who pretend to be such great patriots) should rather lose the necessary supplies, than pass an act so requisite for preservation of the church? That however, if they could suppose them so unreasonable, the matter was not yet so bad; for it was but only proroguing the parliament for a few days, and the Commons might have passed the land-tax again, without the tack."

To consider these arguments in their order. I shall very readily own, that a man, who thinks it unlawful to receive the sacrament according to the manner of the church of England, and yet does it to qualify him for an employment, is no way to be justified: And I shall grant further, that one who goes once to church to qualify himself, and never goes afterwards, is to be condemned, whether his not going afterwards be upon a scruple of religion, or for his having no religion at all. But neither of these are the persons against whom this bill is levelled; the design of the bill being against such as do sometimes go to church, and do at other times resort to separate congregations.

Now to judge how far this practice may be lawful, we must consider the reasons the dissenters pretend for their separation from the established church.

There are some who pretend all communion with the church absolutely unlawful.

There are some who do not object to communion with the church in general, but to some particular parts of the common prayer.

There are others who do not pretend there is any thing in the established way of worship absolutely sinful or unlawful; but they think their own way more pure and decent, and more according to God's word.

There are others who do not carry the matter quite so far as these; but having been bred up in a way of worship that has nothing unlawful in it, they think they ought not to leave their friends entirely, unless there was somewhat sinful to make them do it.

As to the first sort, they never communicate with the church; such are the quakers, and therefore are not concerned in this question.

As for the second sort, an objection to a particular part of our service cannot justify men for not conforming to the church in those parts of our service to which they have no particular objection.

And as to the two last sorts, which are by much the most considerable, and comprehend the greatest part of the independants and presbyterians, I cannot see how those objections can justify them for never going to our church; though they may think themselves justified by them for going to their separate congregations also.

That this was the case of several of the dissenters, is very evident from their practice. Dr Bates, Mr Baxter, and some other of the most eminent teachers among the dissenters, did, after the Restoration, go constantly to the parish churches, stayed all the divine service, received the sacrament every month, and did exhort and bring their auditors to do the like; though, at the same time, they thought themselves obliged to keep up their separate congregations too. And accordingly there are at this day, in many parts of England, several congregations of men, women, and children, of such, who, neither by their circumstances, sexes, or age, can have the least prospect of any office, who go sometimes to the established church, stay all the divine service, receive the sacrament, and yet at other times resort to separate congregations. And how this, which has been so great a step towards a constant conformity, and has proved so in very many families of condition, becomes at present so scandalous and hypocritical a practice, I cannot for my life imagine.

Our ancestors had a very different opinion of this matter: The papists did communicate with our church, in the beginning of Queen Elizabeth's reign; and were so far from being charged with hypocrisy, by any of our church-men for it, that all encouragement that could be was given to them; and a declaration against transubstantiation, which was in the liturgy in Edward the Sixth's time, was, to avoid offence, left

out, and not put in again till the Restoration. The pope indeed did not think it for his interest to allow the practice, and therefore by a bull forbade it. And yet I hope, Mr B—— will not pretend the differences between the dissenters and us are greater than between us and the papists; or that there is not as much probability of making the former join with us in one common interest as ever there was of the latter.

But this practice, Mr B—— says, is condemned by the better sort of dissenters themselves.

That this practice should be condemned by the most violent part of the dissenters, I think there is no reason to wonder at. Those who would persuade their auditors, that all communion with the church of England is absolutely unlawful, must use their utmost endeavours to keep their auditors from looking into the practice of that church. There is somewhat so devout, so reverend, and so Christian, in our forms of worship, and particularly in that of administering the sacrament, that the safest way to keep people from complying with them, is to keep them from knowing what they are. And there have been so many considerable families, that by an occasional conformity at first, have been brought to a constant conformity at last; that it is no wonder, those who are so violent for a separation, should be against those methods that have brought so many to an union. But that Mr B——, who professes himself so zealous a friend to our church, should call these the better sort of dissenters, who are the most violent against it; and should declare so warmly against a practice, by which the church has gained so many proselytes already, and is so likely to gain the rest, that, I confess, is to me a little extraordinary.

But however some rigid dissenters may disapprove the practice of the occasional conformists, I make no doubt but the most violent of them would be alarmed at any thing done against it; or ever imagine, that if the law were once altered to the prejudice of those dissenters, who approach so nearly to our church, they might not soon expect a more severe law against those dissenters, who are so very distant from it.

But Mr B——, you tell me, says further, That the employing persons of a different religion from that established by law, has never been practised by any wise government; and is not allowed even in Holland at this day.

What governments Mr B—— will allow to be wise ones I shall not take upon me to determine; but, that in all ages, and in all countries, where there were not persecutions for religion, the governments have employed persons under them, who were of different religions, is so very notorious, that it would seem ridiculous to give particular instances. The Jews employed the Sadducees, and the Heathen employed the Jews; the Pagans employed the Christians, and the Christians the Pagans. In France, (which seems to be the place some persons propose for the model of their politics and church-discipline) there was an admiral, a lord treasurer, and a constable of France (not to mention several others) who were protestants. Nay, under this present monarch (as great a persecutor as he has proved since) the whole army of France was entrusted in protestant hands. There is scarce a town in Holland (whatever some have affirmed to the contrary) where the remonstrants, as well as the Calvinists, have not sometimes been in their publick offices. Some of the generals of their army, and governors even of their frontier towns, are at this very time Roman catholics. They do not only employ all Christians without distinction, but even Jews upon occasion, of which we had an instance at Madrid in the late reign, which caused a sort of rupture between them and us; and that the other German princes follow them in this, we may be convinced by the printed dispute between Mr Limborch and a learned Jew, where there is a list of several Jews, at that very time actually employed at the Hague as publick ministers, from several of those princes. And Queen Elizabeth employed papists in her councils, fleets, and armies, during her whole reign. Whether she was a wise princess, or a friend to the church of England, let the world judge.

But let all this be as it will, the matter in question is not, whether dissenters from the established church are employed by the government there; for though they are, yet there is not one employed, that I know of, under her majesty here. But the proper question is, Whether it be penal in any one who is in office to go to a separate congregation? And this is so far from being penal, that the Calvinists and remonstrants make no scruple of going to one another's congregations, when there is any particular occasion for it. Nor is there any country, that I know of, except England, where the receiving the sacrament, or any other religious exercise, is necessary to qualify a man for any temporal employment; so that we have gone a great deal farther already, in that matter, than any other country has done.

But this sacramental test, Mr B—— says, was thought necessary to preserve the established church; which church seems in as much danger now from the dissenters as it was then from the papists.

Every body knows the circumstances our affairs were in at the time when this test-act was made. We had a sovereign upon the throne, who was suspected to have a very strong inclination towards popery; and who, if the proofs published after his death by authority, may be believed, was then actually a papist. His brother, who had then the greatest share in the administration, and who had the fleet and army in his own hands, was a professed one. The lord-treasurer, who had the disposal of all the publick money, was a papist. The persons employed in publick trust were such as were likely to pursue the methods prescribed them by these. Secret treaties were made with the French king, great sums of money received from him, and his ambassador was at the head of our affairs in England. In fine, there appeared, upon all occasions, an evident disposition at court to introduce popery, and destroy the liberty of the subject; and there was a potent foreign prince ready at all times to engage in any enterprize against the protestant religion and the civil rights of all Europe.

But is there any danger like this from the dissenters at present? Has ever the most malicious enemy but once suspected her majesty of any designs against the church of England? Is there any man employed in any office under her, who has ever been said to be a dissenter? Have the dissenters shewn any inclinations to invade the church? Are they not firmly united with her in the same common interest? Or, if they were not, have they any foreign prince either willing or able to support them in any attempt against her?

Thus far I have considered the reasons that are given for the occasional bill itself, and I must freely confess I can see none that can satisfy me of the necessity of it. I think the practice of occasional conformity, as used by dissenters, so far from deserving the title of a vile hypocrisy, that I think it the duty of all moderate dissenters, upon their own principles, to do it. I think, that however it may be disapproved by some rigid dissenters, it ought to be encouraged by all good church-men, as a likely means to bring them over. The employing persons of a different religion from the established, has been practised in all countries where liberty of conscience has been allowed: That we have gone farther already in excluding dissenters, than any other country has done: That whatever reasons there were to apprehend our religion in danger from the papists, when the test act was made, yet there does not seem the least danger to it from the dissenters now.

But, on the other hand, I can see very plain inconveniences from this bill at present. As it was brought in the last time, indeed they have added a preamble, that though it was put in the first edition of the bill, was left out in the second, viz. "That the act for toleration should be always kept inviolable." But the toleration act being to take away all the penalties that a man might incur by going to a separate congregation, and the occasional bill being to lay new penalties upon those that do it, how they can say that this is not itself a violation of the other, I cannot very easily comprehend. I

doubt it will put people in mind of what passed in France, where every edict against the protestants began with a protestation, that the edict of Nantz ought to be always preserved inviolable, till that very edict in which it was in express words repealed.

At a time that all Europe is engaged in a bloody and expensive war; at a time that this nation has not only such considerable foreign foes to deal with, but has a party in her own bowels, ready upon all occasions to call in a popish pretender, and involve us all in the same, or rather worse calamities than those from which, with so much blood and treasure, we had been freed; at a time that the protestant dissenters (however they may be in the wrong in separating from us) yet are heartily and undoubtedly united with us against the common foes to our religion and government; what advantage those who are in earnest for defending these things can have, by lessening the number of such as are firmly united with them in this common cause, I cannot for my life imagine.

But notwithstanding I can see no reason for such a bill as this, yet I would not have it imagined the dangers of the tack were founded upon this bottom only; for people may have quite a different opinion of this bill; they may think it convenient, they may think it in some measure necessary, and yet they may be against the running such a risque as the tacking it to the necessary supply; and to do every body justice, several gentlemen, who were very zealous for this bill, did however appear as zealous against that dangerous experiment of tacking it to the other.

But Mr B— says, “this bill being necessary for the preservation of the church, and having been twice refused by the House of Lords, the only way to secure its passing was to tack it to a money-bill.”

This truly is a very compendious way of dispatching business: It has always been thought the excellency of our constitution, that no new law could be made, or old one repealed, without going through several hands that were all checks upon one another. Let the Commons be ever so much prepossessed in favour of any thing, they cannot propose it to the throne to pass into a law, without consent of the House of Lords. And let the Lords be ever so violent for any bill, they cannot offer it to the royal assent without the concurrence of the House of Commons. And let both these houses agree in their opinion, yet it cannot pass into a law till it has had its sanction from the throne. These different steps are wisely ordered by our constitution, for fear any thing should pass into a law by a particular faction, by heat of parties, or by inadvertency.

But this excellent form of our legislature is at an end, if encouragement be given to this new manner of tacking. As all money-bills, however necessary for the publick safety, must have their rise and form in the House of Commons, if this house may add to their money-bill new laws of quite a different nature to the money, and if the Lords cannot after this pass the money-bill without consenting to the other too, then it is the House of Commons only that has the right of deliberating: For what occasion can there be for the House of Lords to consider whether a law be reasonable before they consent to it, when it is in the power of the House of Commons to make them consent to it, whether they think it reasonable or not?

But Mr B— says, “That it has been an ancient practice to tack bills, that were for the good of the subject, to money-bills; that while heavy taxes were laid upon the people for the good of the crown, the crown might, in return, grant such laws as were for the good of the people.”

Whatever pretences may be made of the antiquity of this practice, yet every body knows it has been very rare, and is of a very fresh date, and has been only when these two circumstances have agreed.

First, When money was asked for the private support of the crown, and not for the general necessity.

Secondly, When some bill had been before refused by the crown, that was judged necessary for the good of the subject, not by some particular men, or by one particular house, but by both houses of parliament.

But in the present case, whatever money was asked by the queen, or granted by the Commons, was not for the private support of the crown, but for the general necessity of the people. So far is her majesty from getting one farthing by these taxes, that it is very well known, she has every year, of her own accord, contributed very largely out of her own private revenue towards the war. They are given to carry on a war that is absolutely necessary for supporting the rights and liberties of Europe, which have been so notoriously invaded by the French king, and to keep out a pretender to our own crown, who is bred up in the religion and principles of that prince; and I hope no man ever has, or ever will be thought fit to represent his country in parliament, who does not think this war necessary for the interest of every subject in England, as well as of her majesty.

In the second place, this bill is so far from being thought for the good of the nation by both houses of parliament, that one house had before, in two successive sessions, thought fit to reject it.

In the third place, if both houses had agreed to it, there is no reason to conclude her majesty would have refused the royal assent, in which case only this way of tacking had ever been used.

But though this way of tacking had been sometimes practised, yet it is so far from being allowed the right of the Commons to do it, that the Lords have always before the passing any such bill, how agreeable soever the matter tacked might be to them, entered protestations upon their books against that manner of proceeding. And when the House of Commons carried this pretended right so far, as to offer at tacking clauses to money-bills, which the Lords did not think so reasonable to be passed, (though they never went so far as to tack any thing the Lords had rejected before) the Lords, to preserve the constitution, and that there might be a lasting caution against all such attempts to engross the whole legislature to the House of Commons, at a time when there was no such matter depending between the two houses, caused a solemn declaration to be entered upon their book, and which was signed by the greatest part of them, that they would never, after that time, pass a money-bill with any clauses that were foreign to the subject of the bill. And after such a declaration so publicly made, entered and signed, the Commons could have no design in tacking such clauses, but only to have the bill miscarry.

But Mr B—— says, “That the great necessity there was for the land-tax’s passing, was rather an argument for than against this proceeding. For what danger could there be, that the Lords (who pretend to be such great patriots) should rather lose the necessary supplies, than pass a bill so requisite for preservation of the church?”

How far this bill had been for preservation of the church, I have considered already. And as for the Lords being such great patriots, I wish some members of the House of Commons have not given their electors too much cause to think the Lords better patriots than their own representatives. But notwithstanding that, no reasonable man can believe they could ever have passed this bill so tacked.

The House of Lords is an undoubted part of the legislature: This house, upon solemn debates before, thought this bill not fit to be passed; and if the Commons, notwithstanding that, could have forced them into passing this bill, by this method, they must never have pretended to have rejected any bill more. We see, by a thousand instances, that such a right once given up is never to be retrieved: And then they had not only parted with their right of debating for ever, but they had, by that, broken the English constitution, and overthrown those fundamental rights of legislature, by which this kingdom has flourished so long.

In the second place, they had fixed an indelible mark of infamy upon their own persons, if they had suffered themselves to be forced into the doing a thing, that upon a solemn deliberation they had resolved, nay, most of them had protested under their hands, they would never consent to do.

“But,” says Mr B——, “if the lords should refuse the bill so tacked, matters were not yet so bad; for it was but only proroguing the parliament for a few days, and the Commons might have passed the land-tax without the tack.”

I am sorry to see gentlemen pursue a bad cause, till they are reduced to such wretched evasions as these. Though I think there was no sort of reason for tacking this bill, yet if it had been once tacked, there might have been several reasons for not receding from it. How little pretence soever there may be for the Commons rights of tacking, yet there are several worthy members, who would not have cared to have given those pretences entirely up; which must have been the case, if they had departed from the tack, after having once insisted upon it.

'Tis indeed ridiculous to imagine that any one man, who had voted for the tack, would have given it up afterwards. However, if we could suppose a House of Commons so childish, yet there must necessarily, by parliamentary forms, have been so much time lost, and so great delays in all publick business, as would have been very near as fatal as the granting no supplies at all.

The Duke of Savoy was so pressed, that nothing but a constant supply of money from hence, and a firm expectation of a sudden succour, could have made him support the cause with that zeal and bravery that he did. Any stop of his supplies from hence, any fear of his early succours (both which our delays must inevitably have occasioned) had forced him into a separate peace; and then the French army in Italy had marched immediately into Germany, and fallen upon the confederate forces there.

The King of Prussia was newly and heartily entered into the league, and had agreed to send a considerable body of men to the relief of the Duke of Savoy. But as they were first to receive supplies from hence, what hopes could there be of their marching without those supplies, or indeed of that prince's continuing in the confederacy, when that very nation that had persuaded him into it, was so little likely to support him in it? Portugal had been so softened by a long peace, that there was no thought of their continuing the war, but by their hopes of constant succours from hence, and by the success we had met at Gibraltar. This town was thought so considerable by the Spaniards, that they had exerted their utmost force against it. What a damp the loss of that had put upon our affairs, one may easily guess, by the endeavours of the enemy to regain it. And yet the loss of that must have been the necessary consequence of any stop in our supplies at home.

The success of the confederate forces had been so great in Bavaria, that they had agreed to deliver up all their garrisons to them. But what likelihood was there of their performing that agreement, if they had a prospect of a sudden succour from Italy? Or how should our army have supported themselves without any hopes of supplies from hence? All the confederates were then in consultation how to carry on the war the next year; and what influence such a miscarriage here would have had upon all their proceedings, I almost tremble to think. The French king found such difficulties in raising supplies for the ensuing campaign, that he was in a manner obliged to declare himself bankrupt. But such an encouragement from hence as the tack had been, would have set his matters right again, and one such vote from our parliament had made him sufficient amends for all the prejudices our armies had done him. I cannot conclude this paper better, than with the words of her majesty's most gracious speech to the parliament at parting.

“We have, by the blessing of God, a fair prospect of this great and desirable end, (of a lasting peace and security) if we do not disappoint it by our own unreasonable humours

and animosity; the fatal effects of which we have so narrowly escaped in this session, that it ought to be a sufficient warning against any dangerous experiments for the future."

The Character of a Tacker. To which is added, The Character of an Anti-Tacker. By the same Hand. 1705.

The Character of a Tacker.

TACKERS in general are a sort of animals sprung from the corruption of King James's evil government, and carrying two shapes in one body, like a centaur, or the Irish virgin with a fish in her tail, half protestant, half papist.

A tacker loves grandeur, but little of nobility; for that would teach him to ascend to greatness by other steps than that of his country's ruin.

A tacker is the oddest courtier in the world, to worship a setting sun (I mean, the French tyrant) and that in his winter quarter too, when he can never expect to rise again, but he must be surrounded with mists and fogs, storms and tempests, which his warmth will never be able to disperse.

A tacker is a sort of soaring politician, that sins against all the prospect of sense and reason in the earth.

A true tacker is a true Jefferies; that is to say, an abandoned slave to the popish religion.

The looser tacker is a person wholly addicted to his pleasure, that measures his felicity by his passions; having therefore experienced the remissness of King James's reign, like ivy to a steeple, he clings to his misgovernment, as being that which allowed him the full swing of his licentiousness; and rather chuses with swine to wallow in the mire of voluptuous and libertine bondage, than breathe the air of freedom within the limited impalements of the law. As for the female tackers (for there are she as well as he tackers) they think it a great piece of ingratitude to forsake a religion (for the female tackers are generally papists) which has been so kind as to canonize so many of their sex, and gives them so easy an absolution from their pleasing transgressions; for a female tacker cares not that her conscience should be heavier than her fan; and therefore chuses that profession that lays the least weight upon it. By such a separation as this, of the goats from the sheep, it may be easy to give a true judgment of the tackers' cause in general, by the favourers of it, and to see what sort of persons they are that seek for shelter under the wings of tyranny and popery: And on the contrary it may be with no less clearness discerned who are the asserters of the kingdom's welfare, and the safety of the protestant religion, under the happy auspices of Queen Anne, the best of queens and best of women. But to be a little more particular in the tackers' character.

A tacker is one that fishes for popular applause with godly books, that he may not be suspected in his endeavours at the ruin of his country. A tacker is one, that while he joins with Sacheverel to justify the short way with the dissenters, pleads privilege by sitting in, &c. A tacker is one, that having got an estate by stock-jobbing of shares, hopes to make it complete by selling the nation by wholesale. A tacker is one, that being chose by the people to establish new laws, holds they have no power to depute

him to make any. A tacker is one, that being chose to guard liberty and property, holds that we have no right to either, longer than it pleases the prince. A tacker is one sent to make fences against popery, yet thinks he is obliged to restore its dominion. A tacker is one that seeks for a trust, that he believes he is bound to betray. A tacker is the motley spawn of the nonjuring clergy, and with a pious supererogation, damns himself with oaths, which he takes to destroy. A tacker is one, whose zeal for his church shakes hands with the devil; and for fear of Geneva, joins the Jesuit and Turk to oppose it. A tacker is one that maintains that we had better unite with a church we differ from in fundamentals, than from one we dissent from only in circumstantial. A tacker is one that holds that popery, which is condemned by our laws, is more eligible than presbytery, which our law allows. A tacker is one, that to get the church of England an imaginary security, would put the nation into a ferment by fomenting divisions. A tacker is one, that under pretence of uniting her majesty's subjects, would take away all means of union among them. A tacker is one, that under pretence of establishing the daughter, asserts and promotes principles that destroyed the father and grandfather. A tacker is one, that under pretence of being a friend to our constitution, would render one part of no use by tacking. A tacker is one, that asserts the prerogative by opposing the declared will and repeated desire of the queen. A tacker is an Englishman with an heart entirely French; and while his grand monarch is not able to resist our forces abroad, endeavours to do his business by our divisions at home. A tacker is one, that votes large supplies, on purpose to make them of no effect, by clogging them with irregular tackings, long before declared against. A tacker is one, that under pretence of being the truest son of the church, would render her an enemy to, and incompatible with, the state. A tacker is a Jacobite in disguise, who having refused the oaths all the late reign, took them only in this, to destroy it. A tacker is one that is fool enough to believe (if absurdities are properly the objects of faith) that the supposed son of the late King James has a divine right to be king of England; and is knave enough to take a solemn oath to a contrary government, and in the presence of God, to abjure this divine right, that he may get into the legislature, and embroil our affairs, to establish it. A tacker is one that writes and brawls for our laws and liberties, that he may make us what he thinks we all ought to be, slaves; and if he cannot to a domestic, he may to a foreign power. A tacker is one that makes use of liberty of speech to destroy those laws that secure it. A tacker is one, that while he would have all mankind, but kings, beasts of burthen, is so himself *ex confesso*; and therefore, as he owns himself to be a beast, ought to be used like one by all true Englishmen, and justly excluded from that religion and property, which he declares we have no right to. A tacker, in fine, is one who, denying that we ought to live by law, ought by his own rule to be hanged without law.—And so there is an end of the tacker.

The Character of an Anti-Tacker.

The anti-tacker is the reverse of the tacker, and their characters are counterparts to each other. He is a sincere friend to the present government, and the protestant succession; as the other is a professed enemy to both: He hates popery, and church papists, as he would so many toads; he is a true lover of liberty and property, and does his utmost to keep the act of toleration inviolate. He sends neither provision nor ammunition to the French fleet, nor does he waste his estate by buying horses to mount the French cavalry. He is one who attempts to heal the breaches at home, and cut off the hopes which the common enemy has conceived from our division. He is one that has no manner of loyalty left within him for the prince at St Germain; he

would venture his life and fortune very freely, for the good of the common cause ; one who dares, *pro patria mori* : He hates persecution upon the score of conscience, and would not have vast sums raised for the public service by chusing dissenters into offices, and then fining them for refusing. He thinks fifty pounds is too great a forfeiture in all reason for serving God according to his own appointment, and for putting his head once into a meeting. He has a tender regard to every paragraph of her majesty's most gracious speech to her two houses of parliament, and he would not put a stop to the publick business while dissenters are turned out of offices. He loves good men of whatever persuasion, and hates a designing knave of what denomination soever. In short, his heart is truly English, and he knows no enemies but the devil, the pope, and the French king, and their adherents. He is a friend to the memory of the late King William. He is loyal to Queen Anne, prays for her life and government, and he takes the Act of Settlement to be our best security against popery and the designs of Lewis. He takes those to be enemies of the Reformation who would have us unite with the Gallican church, and that they should abate the papal, and we the regal supremacy. Lastly, he is no tacker, and that is enough to make him stand fair for the next election to the ensuing parliament.

A Letter to a new Member of the Honourable House of Commons, touching the Rise of all the Embezzlements and Mismanagements of the Kingdom's Treasure, from the Beginning of the Revolution unto this present Parliament. With an Account, from Time to Time, of the many Oppositions the House of Commons met with about redressing the said Public Grievances. And, lastly, A Proposal humbly offered to their Consideration, how to prevent the like Miscarriages for the Future. To which is added, A parallel Account of the National Expences, from November 3d, 1640, to November 1659, and from November 5th, 1688, to Michaelmas 1700. 1710.

An accusation of mismanagement of public money, as it is always easily averred, and greedily credited, is one of the most common implements with which statesmen assail each other. There is, however, no reason to believe that the mismanagement was greater in the reign of King William than at former periods, unless in so far as the continental war occasioned greater expence, and opened more opportunities of fraud. These enquiries were resumed in Queen Anne's time, that they might afford a parallel ground of charge against the whig administration of Godolphin, and the expences of Marlborough's army.

SIR,

You, being a new member of this honourable house, I presume you are not so well acquainted with the transactions of several former parliaments, in relation to the miscarriages and embezzlements of the publick monies of this kingdom ; because I perceive you are somewhat surprised at her majesty's speech, touching that paragraph, wherein she complains to your house, That she cannot, without great concern, mention to you, that the navy and other offices are burthened with heavy debts which so far

affect the publick service, that she most earnestly desires you to find some way to answer those demands, and to prevent the like for the time to come, the justice of parliament in satisfying former engagements being the certain way for preserving and establishing credit.

I say, being a new member, you are utterly at a loss in this matter, and want thoroughly to be instructed in mismanagements of the ministry; for you are earnestly desired by the queen to find out now some way to answer those demands, and to prevent the like embezzlements and misapplications for the time to come; it being but justice of the parliament in satisfying former engagements, and it is the most certain way for preserving and establishing of credit.

Is this the way of establishing and preserving of future credit? Then 'tis plain, that, by her majesty's confession, the credit of the nation begins now to flag: And if so, the question will be, Whether it is occasioned by the funds not answering the intended end they were raised for, or whether the credit of the nation is sunk by crafty ministers, that have licked themselves into fair estates, and so have embezzled and misapplied the kingdom's publick treasure? Now, if you can find out but where this shoe pinches, you have done your work; for her majesty's earnest desire is to prevent the like practices for the time to come.

In order to which, give me leave to inform you, That the Right Hon. the House of Peers, in their address to her majesty, do as frankly complain of mismanagements and embezzlements in several of the queen's offices heretofore committed, as well as her majesty; which, at your leisure, you may read in their address to the queen, printed in the year 1705.

And I must beg your patience to shew also, That the Honourable House of Commons have formerly made as hearty and heavy complaints as most have done, and publicly declared, that common justice was refused to be done this honourable house, when so often desired to redress the publick grievances of the nation, especially touching the mismanagements and embezzlements of the publick monies of the kingdom. *Vide* their votes of March 24, 1701.

Since they have had every one their turn of complaining, don't you admire where the fault lies all this while, and that there is no remedy as yet found out; that is to say, from the year 1701 to this present year 1710, being full nine years?

One would think at first dash, that the queen, the lords, and the commons, were all at a loss, and willing, hearty, and ready to embrace any expedient, and listen to any proposal, that could be found out to put a stop and prevent the like mismanagements and embezzlements of the kingdom's money for the future, or else they would never certainly make their complaints so often: But, alas! sir, there lies the mystery.

Now, sir, to unriddle this grand secret, is to let you into our former miscarriages, and the way that was then taken to stop and redress those grand grievances, and the many obstructions former parliaments met with, though they heartily espoused, and designed to go thorough stitch with the remedy; and then you will find where this great fault has lain all the while, and perceive who were blame-worthy, such as complained, or those very persons that refused to punish the transgressors when they were first caught offending. And give me leave to add, that all mismanagements and losses that have since happened to this kingdom, are owing to such as refused to do common justice when so often importuned thereto.

The great mismanagements of the kingdom's publick treasure, and the misapplications thereof, fell out in the reign of the late King William; which was then observed for several years together to be a growing evil upon the government, and at last, it did produce several annual commissions by act of parliament, for taking, examining, and stating the publick accounts of the kingdom; but what success these commissions had, will be worth our time to examine.

Though it has been publickly objected, that by these commissions little was done towards the adjusting the accounts of the nation, and inferences have been thence drawn, that such commissions are of little or no use, yet certainly 'tis the duty of our representatives (especially since desired from the throne) to make it their earnest endeavour to find out proper remedies for this fatal distemper, lest it end in the ruin of the monarchy, the church, and the state: For the commons have complained of these miscarriages; the lords, in their turn, have complained of them; and now, at last, her majesty, in her most gracious speech, is heavily complaining of these miscarriages. And, since they have all had their turns of complaint, one would think it were high time to redress this common and publick grievance, which has, in short, almost ruined the credit of the parliament; and there will be no retrieving of it till a stop be put to those growing evils. It will scarcely be pretended by any man, that such an adjustment of accounts is in its own nature impracticable. If then the former commissions had not altogether the desired success, the fault must lie either in the scheme laid down, as probably it might be for the first year or two, or in the commission, if they wanted either skill, application, or integrity, sufficient for the business they were employed about.

Now all these wants have been charged upon some of them; but whether with justice or not I am not yet well satisfied: But I am sure there were two other impediments, of which I may speak with more certainty, either of which was enough to hinder the execution of that commission.

The first of these was, That divers great men, that had mighty accounts to pass, and perhaps had little stomach to do it, had such a power and influence in the House of Commons, as were able to cramp the commissioners in their power, and discountenance them in their report; and even to banter them in the execution of their trust.

That this was openly practised is notorious to all that were then members of the house; and how much the commissioners must needs be discouraged in the execution of so difficult a task, the performance of which was to be laid before such judges so possessed, I'll leave any one to guess.

The influence of these men perhaps produced another difficulty, which was a flaw in the commission itself; for the commissioners were not empowered sufficiently to require proof of suspected vouchers; they could not commit persons for contempt of their authority, and consequently were exposed to the hazard of being abused by false vouchers. These were difficulties almost, if not absolutely, insuperable.

Now, that never-to-be-forgotten parliament, in the year 1701, took care to remove most of these obstructions, by providing a bill with larger power, appointing commissioners of known worth and integrity, who were willing, without recompence, to take the trouble upon them, and having such an House of Commons (as, God be thanked, we now have) disposed to hear and enquire strictly into those miscarriages; and there was great reason to expect a good issue.

But perhaps this very expectation (pray God it don't again) defeated the bill, because some of those very persons who had heretofore borne such sway in the House of Commons, were then grown so powerful in another place, and accounts were still as terrible as ever, it was not therefore their interest to suffer such a bill to pass, for those very reasons before-mentioned.

First, Because such a commission, with such powers, was as hard to be resisted, as, on the other side, some men's accounts were to be made up; and consequently such an enquiry as the commissioners were thereby empowered to make, might have ruined the credit, and perhaps the fortunes, of some great men.

Secondly, The same persons knew that there was no bantering the commissioners named in the bill, because they knew them to be men of sense, honour, and courage,

and that knew, and were resolved to execute their commission; and as they were volunteers in that service, had given earnest of their resolution to unriddle that mystery, which divers good men had before lost their labour in, and thereby perhaps might have made discoveries, at that time, very unseasonable to some great men. And,

Lastly, The disposition of the House of Commons itself, who were resolved, as fast as possible, to extricate this nation from that labyrinth of debts, interest, deficiencies, and other incumbrances she was then in, and is at present in a manner lost, was a terror to those who knew by what steps and artifices she was led into and left in it.

I say, it was not safe for them, either to let the bill pass, or to have it rejected in gross; and therefore such expedients were to be found out, as might embroil the two houses about it; a practice in which they had not long before shewn a great deal of mastery.

They knew that the commons, as they had the sole power of granting money, so also of taking an account of the disposition of all money by them granted, and of appointing commissioners for that purpose. This was laid hold on as a proper handle to introduce those amendments which they knew the commons could not agree to, without departing from those rights which they were sure they would never relinquish.

Divers amendments therefore were made, not perhaps so much to alter the bill, as to lay upon the commons a necessity of throwing it out; thereby hoping to shift the odium of such an action from their own door.

But the commons, who were aware of this drift, and saw the conclusion of the session so near at hand, appointed a committee to draw up their reasons, why they could not agree to the amendments made by the lords, and afterwards ordered them to be printed, for the satisfaction of the people whom they represented; which I shall give you in the very words of the house, as they stand in their votes, March 24, 1701.

“The commons do disagree to the first amendment made by the lords,

“Because it is notorious, that many millions of money have been given to his majesty King William by the commons, for the service of the publick, which remains yet unaccounted for, to the great dissatisfaction of the good people of England, who cheerfully contributed to those supplies: And their lordships first amendment prevents any accounts being taken of those monies by the commissioners appointed by the commons for that purpose.

“The commons do disagree to the second amendment made by the lords,

“Because John Parkhurst and John Pascal, Esqrs. have for several years been commissioners of the prizes taken during the late war, and are accountable for great sums of money arising thereby, which ought to be applied to the use of the publick.

“That the said John Parkhurst and John Pascal were frequently pressed to account for the same, by the late commissioners appointed by act of parliament, but by many artifices and evasions delayed and avoided giving any such account as was required by the said commissioners.

“That the clause to which their lordships have disagreed by their second amendment, requires them to account before the first of September next; but by their lordships amendment, the said John Parkhurst and John Pascal are exempted from giving any such account, which is highly unreasonable.

“The commons do disagree to the fourth amendment.

“The commons cannot agree to the clause sent down by the lords, marked with X, because their lordships have therein directed the commissioners to allow and certify a pretended debt to Colonel Baldwin Leighton; whereas the disposition, as well as granting of money by act of parliament, hath ever been in the House of Commons; and this amendment relating to the disposal of money does intrench upon that right.

“The commons do disagree to the fourth amendment,

“Because it is notorious that Edward Whitacre, mentioned in —, left out by their

lordships, hath, by colour of his employment (as solicitor to the Admiralty) received the sum of five-and-twenty thousand pounds and upwards, of publick monies, without producing any just or reasonable vouchers for the expence thereof, and therefore ought to be accountable for the same.

“ And that by reason of their lordships disagreeing to the several parts of this bill, the supplies provided by the commons for paying the arrears due to the army, must of necessity be ineffectual till another session of parliament.”

These reasons were ordered to be inserted in the votes of the day: And though I have seen many attempts to answer them, yet never met with one that bore a good face, or a true reason for the occasion of them; and till somebody shall produce others more justifiable and probable, the commons will stand clear of all imputation for the miscarriage of that bill, and the evil consequences that have attended the nation ever since the want of it.

But though King William thanked this good parliament for their quick dispatch of those necessary supplies which they had granted for the publick occasion, and for the encouragement they had given him to enter into alliances, for the preservation of the liberty of Europe, and the support of the confederacy, and made no doubt, that whatsoever he should do during their recess, for the advantage of the common cause, in this matter, would have their approbation at their meeting again in the winter, (vide the speech he then made at the conclusion of that session of parliament, 1701.)

Yet so diligent were the then ministers of state, that, for fear of being called to account by the said commissioners, they got the consent of King William to dissolve that parliament, by reason they did assure him they would get him a better, and such a one as should not question the embezzlements of his ministers, being now able to carry all things before them; which was then the language of that state ministry: And the good king assured them he would do it, when he next came from Holland, and was as good as his word; and then the ministry were safe in their affairs: And upon the death of King William, some of the ministry being changed, we never heard a word of them more till their lordships began to take up the cudgels.

You must know, at that time, some of the late ministry being turned out, had set up that which they now call a Junto, in opposition to the court party; and who should be more forward in pushing on the said House of Peers into an enquiry of mismanagements and embezzlements, than certain noble persons who had run the same way the new courtiers had just entered, to lick themselves into as fair estates as other antiquated courtiers had done.

I say, these persons, having set up a junto, in opposition to the court interest, pressed forward an enquiry into a three years embezzlement and misapplication of the publick treasure, under her majesty's administration. And is as follows:

	<i>l.</i>	<i>s.</i>	<i>d.</i>
1st, Their lordships were pleased to observe, That in three years the navy had exceeded its charge, allowed by parliament, the sum of	366,032	17	2
2dly, That the officers had issued for the use of the navy, short of the sum allowed to that service, the sum of	1,142,361	2	4
3dly, The debt of the navy in two years has increased to the sum of	1,250,097	14	1
4thly, There wanted of the complement of men, which was then allowed for the sea-service, 1566 persons.			

5thly, There were the last year 10 flags in pay of the navy; and three were not in their posts, viz. the H— Churchill, Esq. Greydon, and Sir James Wisheart.

6thly, The pensions of the navy since the year 1697 are increased; that the estimate for 1705 comes to	- - - - -	L.18,011	0	0
7thly, That Sir John M—n, (whom her majesty was pleased to turn out for not doing hi duty) has a pension of	- - -	19	17	6
8thly, The pension of Admiral N—l's widow, which is set down continued, has not been paid her these two years last past				
9thly, The Prince of Denmark's council to him, as lord high admiral, are allowed per ann.	- - - - -	7,000	0	0
And yet there is paid but 1000 l. per annum to each council; and in the years,	1702 1703 1704	There were but 4 5 6		
10thly, The H— Churchill, Esquire's appointments for the navy, are, first council to the prince per annum	- - - - -	1000	0	0
2dly, A pension to him per annum	- - - - -	500	0	0
3dly, As admiral of the Blue per annum	- - - - -	1277	0	0
4thly, For his table-money per annum	- - - - -	365	0	0
		Total	3142	0 0

And, lastly, though by parliament there are allowed 43 cruisers and convoys for our merchant-men, there have not been employed at any time 22, and they have not done the duty of three ships for the protection of our trade: All which obstructions they have humbly laid before the queen, and do rest assured, that her majesty, in her great wisdom, and tender concern for the happiness of her subjects, will dispose herself to apply the proper remedies. And they humbly beseech her to give commands, that all possible methods may be taken for the encouragement of seamen, the guarding of the coasts, and the protection of trade.

Now you may perceive, sir, that here is a mighty embezzlement and misapplication among the navy to a considerable sum, as you may perceive in the aforesaid articles; and would not one believe, that their lordships were concerned at this matter in good earnest, and that they had nothing more at heart than the preservation of the merchant's trade, they so sensibly complain for want of due protection? But, alas! sir, this is nothing but a mere pretence, as I shall prove to you anon. But I must beg your patience till I have let you into a Commoner of England's observation thereon, by way of reply to each particular, as he then wrote from Braintree, Feb. 19, 1705, to a certain member of parliament, and printed the same year.

First, then, says he, their lordships observe, That in three years time the navy has exceeded its charge, allowed by parliament, the sum of

366,032 17 2

This, at first view, he says, was a very heavy charge on the government; but with humble submission, it is presumed their lordships are not all bred accomptants, and therefore not so much blameable as some are. I confess it startled me at this time of day, to see so good, so gracious, so mild, and so gentle a government, charged with such an inconsiderable sum, not worth mentioning, considering the length of time, viz. three years. We cannot forget the miscarriages of the late reign so soon, when some of the lords of a C— were impeached for the embezzlement of the kingdom's treasure. Let them but look back, and they will find twice as much exceeded in the service for the same time.

When E— R—ll, Esq., (now L— O—d) was treasurer and paymaster of the navy, there was then actually received out of the exchequer for that service, from Michaelmas 1691, to Michaelmas 1694, viz. three years time, the sum of

6,170,359 10 3½

The estimate allowed by parliament for the navy amounts for the same time but to - - - - - L.5,400,000 0 0

So that the charge of the navy did exceed what was designed by parliament, the sum of - - - - - 770,359 13 0½

And then no complaint was made of it ; yet our three years considerable sum, viz. 366,033*l.* 17*s.* 2*d.* is a monstrous charge now : Yet theirs exceeds this by - - - - - 404,325 13 1½

What would not the saints have said, if such a sum as this had fell upon the party the lords are now accusing ?

Secondly, That the Admiralty have issued short of the sum allotted by parliament for that service, the sum of - - - - - 1,142,361 2 4

But their lordships wisely observe, That the navy accounts make the sum received by the treasurer of the navy, between Michaelmas *6,193,094 15 0 1701, to Michaelmas 1704, to amount to the sum of - - - - - 5,420,700 11 1

Which, if substracted from the provisions intended by parliament, * which I have placed above the last sum, and then it will come to but - - - - - 772,394 3 11

So that their lordships have overcharged the Admiralty in this article by the sum of - - - - - 369,966 18 5

Proof - - - - - 1,142,361 2 4

Now, sir, if the sum of - - - - - 366,033 17 2

Be added with the sum of provisions, - - - - - 772,394 3 11

Intended by parliament for the navy's use, then the sum will be 1,138,428 1 1

Which is all their lordships can pretend to charge the treasurer of the navy with ; and we hope their honours think it in safe hands, so long as Sir T—— L—— is of ability to make it good ; if not, pray let them speak.

But their lordships not speaking, shewed they thought him to be of ability ; but now it seems he is dead, and indebted to the navy, the nation will find whether he was of ability or not.

Thirdly, It appears at Michaelmas 1704, the debt of the navy to be - - - - - 2,266,864 17 0

And the navy debt at Michaelmas 1702, came but to - - - - - 1,016,767 3 9

So that it has increased in two years time to - - - - - 1,250,097 14 1

And well it may ; for it appears by the treasury-books, that the sums given by parliament have fallen short ; and by the extraordinary expences of the war, viz. the taking of Gibraltar, and beating of the French fleet, must needs increase the debt considerably, as the treasury-books observe, to the sum of - - - - - 1,149,249 16 5

And if any complaint ought to be made, it was on the government's side, and not on their lordships, as if a mismanagement ; but those L— of the C——, I presume, knew which way they crept into fair estates, by fingering the publick treasure of the nation ; and now would make all persons as guilty, &c. that they might come off the easier.

To the 4, 5, 6, 7, 8, 9, and 10 articles, if there be any mismanagement or embezzlement in them, they are so inconsiderable, not worth taking notice of, and especially by the H— of P—

Allow the three flag-officers pay and table, comes to per ann. 4027*l.* 10*s.* for three years, comes to - - - - - 14,781 10 0

We'll allow a misapplication of the navy's pensions to amount for three years (though in truth it is not so) to - - - - - 3000 0 0

And the prince's council for three years have embezzled the sum of L. 6000 0 0
 Now what a mighty sum is this, viz. - - - - - 23,681 10 0

for three years time to complain of? Says he, Sir, this is but a flea-bite to what I shall demonstrate to you.

You cannot forget, sir, that a Lord C—— was impeached, not long since, for a considerable sum of money he had; yet he was not contented with his place that brought him 4000%. per ann. but the late King William allowed him besides a pension of 4000%. per ann. more: And yet he procured to himself the grants of several manors, free-farm rents, quit-rents, &c. to the value of - - - - - 33,600 0 0

So that this person has exceeded all their embezzlements, viz. - 23,681 10 0

By the sum of - - - - - 9,918 10 0

But give me leave to sum up their lordships whole charge, as well as the embezzlements, &c. against those persons, and you will find they appear not so great a charge as made.

First, then, as for the debt of the navy of - - - - - 2,266,864 17 2

I will leave it as I found it, to be made good by parliament.

Secondly, As for what the navy has exceeded its charge by act of parliament, viz. - - - - - 366,032 17 2

I will make it a charge as money over-paid for the use of the navy above the sum allowed by parliament.

Thirdly, As for what the navy has issued short of the sum allotted by parliament, I have sufficient warrant to charge it, - - - - - 672,394 3 11

Fourthly, The unnecessary pay of three flag-officers I'll charge, which comes to - - - - - 14,781 10 0

Fifthly, A supposed misapplication of the pensions for three years, which come to - - - - - 3000 0 0

And, lastly, An embezzlement of three years money for the prince's council comes to - - - - - 6000 0 0

So that the whole cash in hands, the misapplications and embezzlements for three years time, comes to but - - - - - 1,062,211 11 1

To which may be answered; first, as their lordships do find by the navy accounts, the money exceeded did amount in three years time to a considerable sum, yet they don't say it was not applied to that use; therefore I presume, I have good warrant to discharge the navy of that sum as paid; which is - - - - - 366,032 17 2

Secondly, The three flag-officers are paid the sum of - - - - - 14,701 10 0

And, lastly, The pensions are paid, viz. - - - - - 3000 0 0

Total, 383,814 7 2

Therefore all as can be pretended to be in hands, misapplied or embezzled, for three years time, is but - - - - - 678,397 3 11

And whether this mighty sum be not issued to the yards and victuallers is the question; and those ministers best know whether it be so or no, for I shan't justify them in it: But what I have to offer may mollify this great offence.

Sir, I can't but remind you; and give me leave to shew what considerable charges and embezzlements there were brought on the nation in so small a time as five years.

The Lord R—— hath actually received out of the exchequer, for the army from Michaelmas 1691, to Michaelmas 1696, (not computing the pay for the army in Ireland) the sum of - - - - - 9,256,911 13 4½

The estimate allowed by parliament for the army, came at the same time but to - - - - - 6,500 0 0

So that the army has been over-paid by	-	-	-	-	-	L.2,756,911	13	4 $\frac{1}{2}$
E—— R——, Esq. (now L—— O——) hath received out of the								
exchequer, for the pay of the navy for the same time,	-	-	-	-	-	9,108,833	10	2
The treasurer of the ordnance for sea and land service hath re-								
ceived for the said time the sum of	-	-	-	-	-	1,543,826	5	9 $\frac{1}{2}$
Total of both,							10,652,659	15 11 $\frac{3}{4}$

Now the estimate of the navy, yards, ordnance, and victuallers,								
for the same time, come to but	-	-	-	-	-	9,000,000	0	0
So that the navy and ordnance, &c. have been over-paid	-	-	-	-	-	1,652,659	15	11
There has been actually received out of the exchequer, for the ci-								
vil list, for the same time, the sum of	-	-	-	-	-	3,455,302	8	0
The estimate of the civil list comes for the said time but to	-	-	-	-	-	3,000,000	0	0
So that the civil list has been over-paid by	-	-	-	-	-	455,302	8	0
Upon these heads there has been over-paid as follows:								
To the army	-	-	-	-	-	2,756,911	13	4 $\frac{1}{2}$
Navy and ordnance, &c.	-	-	-	-	-	1,652,659	15	11 $\frac{3}{4}$
To the civil-list	-	-	-	-	-	455,302	8	0
Total,							4,864,873	17 4

And yet the debt of the army, navy, ordnances, &c. and the civil								
list, amounted to that time to the sum of	-	-	-	-	-	6,000,000	0	0
So that in five years, there was actually embezzled or misap-								
plied	-	-	-	-	-	108,648,773	17	4 $\frac{1}{2}$

Now, sir, how much was paid to the army, navy, &c. short of these proportions allowed by parliament, will also be worth the enquiry of your honourable house.

But to their lordships last observation, they say that 43 cruisers and convoys are allowed by parliament to protect our merchants from the enemy (do they mean abroad or at home?) and that not 22 have been employed at any time; nor have they done the duty of three cruising ships, which they think is a great hardship on the subject, and endangers their trade; and beseeches her majesty, that all possible methods may be taken for the encouragement of seamen, the guarding of the coast, and the protection of trade.

Certainly their lordships think this nation has a very treacherous memory, to forget so soon the complaint your honourable House of Commons made to their lordships upon this very subject.

Let them remember, that one article of their impeachment against A—— R—— was this: That when several complaints were made by the old East-India Company to the lords of the Admiralty (his lordship being chief commander) of divers piracies in the South-Seas, to the destruction of their trade, that he rejected their request, and procured a commission for Captain K——d, who went a p——; and that the said C—— commanded Capt. S—— to deliver several able seamen out of the D—— (when the nation was threatened with an invasion from France) to Capt. K——d; and they went a-pirating.

Secondly, That the Lords S—— and B——nt, &c. got a grant under the G—— S—— in 97, to have all the-ships, &c. goods, treasures, &c. taken since April 30th, 1696, by piracy, without account.

And that said Lord S—— put the great s—— unto a treaty with F——, whereby great dominions were given that king, to the prejudice of the merchants trade in general.

But I am very glad their lordships begin to be so vigilant in national miscarriages; for, with humble submission, I think it is high time they were all redressed. I am sure your honourable house has been many years labouring hard to bring it to pass, and have been as often prevented therein by their lordships not being at leisure, or at least not in a humour to do it; which refusal your honourable house not long since voted to be a denial of j—— (in their lordships) to the common cause, and an hindrance to the publick benefit of this kingdom in general. And since they have publickly begun to address her majesty, that this publick grievance may be redressed, though very inconsiderable, yet if not nipped in the blossom, who knows what an height it may at last come to? I think now time offers to redress them all; and once your honourable house desired such an opportunity, and you cannot do less for your country's service, than vigorously and with all diligence to prosecute this affair, and to go hand in hand with their lordships to accomplish it. For, as I am an high-church man, sir, I am not for having the government imposed on, nor the nation's treasure embezzled, or profusely spent in needless pensions, &c. by any manner of persons, either high-church, low, or no-church. And whoever is caught in the transgression, and spared by one side or t'other, can be no good subject, nor an hearty lover of her majesty's government.

It mightily rejoices me to see their lordships eyes begin to be opened, and that they can spy faults and mismanagements in government, as well as other persons; though I must confess there is no government so infallible but may err in some matters; which errors are very visible in the late reign as well as in this: And since it so often happens, it may be convenient to remind their lordships of your late impeachments, that all offenders and embezzlers of the publick treasure may be brought to a strict account. This is what you always aimed at for the nation's service, and have always continued so to do by your constant addressing her majesty, and since I have made it so visible in four heads, that upwards of ten millions of money have been embezzled in five years time, it is to be hoped their lordships will be pleased to condescend, that the late ministers of state be brought to an account as well as the present.

I hope by this time their lordships are thoroughly convinced in their judgments, that it is high time they were brought to an account; which, if done, I am sure would be of great service to the nation, and would deserve the publick thanks of the kingdom. This would encourage the nation and seamen chearfully to go on in the common cause; the one with their purses, and the other with their lives: But if their lordships will contentedly sit down only with the accusation of the navy, of a Churchill, a Greydon, or a Munden, for so inconsiderable a sum (which all their lordships can pretend to charge is not an embezzlement) of 678,397 l. 3s. 11d. will look only like a party-quarrel, and shew they take delight in exposing their small mismanagement, when they meekly suffer an O——, a R——, a S——, &c. to go away unpunished with upwards of thiry millions of the kingdom's money unaccounted for. This I hope their lordships will take care to avoid like English patriots, and not suffer the government and nation to be miserably oppressed and beggared.

It cannot enter into my thoughts but their lordships will do all things for the good of the nation in general: Yet I am somewhat surprised to see their addresses to the queen printed by their authority; I cannot tell what to make of it, it looks so much like the *Observer's* appealing to the people, designing to expose the smallest miscarriages in government on one side, and let the greatest embezzlements on the other go free. But their lordships have mightily missed their ends in it if they intend so; for

the address is so seasonably come out, that it will very much open the eyes of the nation; and if the grievances be not redressed on all sides, it will look like party address, dissenting from the kingdom's true interest, and so they may become the odium of the nation; but let us hope for better things from their honours.

Another thing to me seems very odd, and looks just like the Stranger and Satyr in the fable, that blew both hot and cold in a breath; or what can be the meaning of settling a grateful reward on his grace the Duke of Marlborough for his eminent service done to the publick in general, and yet at the same time to repine at his brother Churchill's inconsiderable per ann. of 3142 l. 10 s. which their lordships have caused to be printed at large in their late address to her majesty? One would think, that what his grace had done might have easily swallowed up so small a trifle as his staying at home, without their lordships publick notice thereof. If the nation's grievances are heartily designed to be redressed, I think 'twould be very convenient their lordships should join with your honourable house, to call all evil ministers of state to a speedy account.

Secondly, In the next place, to secure the government, and the church of England as by law established, and not suffer them to be insulted and bullied by the whiggish enemies of state, both at home and abroad. And,

Lastly, To secure to your merchants their trade: And this, in some measure, will enable you to secure the whole state.

But, if we must tumble into faction, and only accuse one party, because the least transgressors, and let the other go free, because the greatest offenders, 'tis just like Alexander's pirate, that was condemned to be hanged for robbing in a small vessel, whilst he himself, with his great fleets, triumphed in spoiling and ruining of the greatest kingdoms.

To conclude, I must be bold to say, had the first transgressors been severely punished when caught in the offence, it would have deterred others from doing the like mischiefs; and all mismanagements and losses that have since happened to this kingdom are owing to that house of parliament, that refused, upon your complaint, to do the nation common justice, when so often importuned thereto by your honourable house,

I am,

Sir.

Your most devoted servant,

W. L.

Braintree, Feb. 19, 1705.

And thus I have led you, step by step, through all this Commoner of England's observations thereon; and I think he has handled the ministry to purpose.

But, perchance, you may desire to know what effect these observations wrought on their lordships at that time. Even none at all; for the design, it seems, lay here: As soon as this address had brought over the court interest to their party, all matters of complaint were laid aside, and the ministry were as brisk at their sport of embezzlements and misapplications as ever, and so would have gone on to the end of the chapter. Had not some true old English heroes opened the eyes of her majesty, the whole kingdom had been sunk into an eternal ruin, without redemption; and that occasioned the queen to change the low-church ministry: And this brought to our assistance our deliverers from this slavery, our present new parliament, and occasioned that excellent speech from the throne at the opening of this sessions; where her majesty (though sensibly) complains of the heavy debts of the navy, and other offices.

And now, sir, what if I should let you into some other new embezzlements and misapplications, which I may truly say were occasioned by their lordships, for want of their seasonable and annual addressing of the queen.

For, if fame speaks truth, it is reported, that Sir T—— L——n, Treasurer of the Na-

vy, has died indebted to the sailors three years wages : If so, according to the estimate of the navy, it amounts to about - - - - - 5,400,000 0 0

Which is one article, without doubt, your honourable house is to make good.

And a certain late lord treasurer, they say, has embezzled or misapplied the sum of - - - - - 2,500,000 0 0

Which embezzlements are grown a new debt on the several offices complained of.

The total of both come to - - - - - 7,900,000 0 0

And for the year ensuing you are to provide no less than - 6,000,000 0 0

To carry on the war against France and Spain, in all - - - 13,900,000 0 0

A pretty little inconsiderable sum ! These you are to raise, and make good as desired. And whether with these sponges, as De Foe says, you will be pleased to wipe out the scores and debts of the nation the low-church ministry have contracted, I think will be very much worth your while to try the experiment of.

It would not be amiss to squeeze these low-church sponges heartily, till they drop again to purpose ; and who knows but you may get out of them ten years embezzlements (rather than part with the whole ill-gotten sum for twenty years last past) which comes to about - - - - - 15,875,893 17 4

So that you will clear the nation from the debt of the late Lord Treasurer, and Sir T—— L——n, the Treasurer of the Navy, and have in their pockets clear, to begin the next year's wars with, the sum of - - - - - 1,975,893 17 4

But here lies the greatest difficulty. In whose hands will your honourable house entrust the remaining money, and all that you shall raise for the future, since 'tis so apparent how difficult it is to bring such ministers of state to account for their embezzlements and mismanagements of the kingdom's publick treasure ? This is a matter will require your whole thoughts. For if that can be but effected to your liking, content, and satisfaction, it will for ever make the queen easy, the funds well looked after, the seamen and the army well paid. And this will be the means to restore the lost credit, which evil ministers of state have been long hammering at, to ruin, or at least to bring it to such a low ebb on the government's side, that the said ministry might have new-modelled any scheme of government they had most inclination to, having so often al the publick cash of the nation in their hands, and that they set up the bank with most feloniously, for that end and purpose.

In my humble opinion (not that I am going to direct) it were not amiss, if your honourable house would not suffer one single minister, or officer of state, to have of the publick money so raised to carry on the war against France and Spain, above 50,000*l*. a man, and good security given, that he should nowadays embezzle or misemploy the said money, but solely pay it to that publick end it was raised for : But to trust one man with one, two, or three millions at a time, is a temptation to cheat the publick, at least one quarter part of it, if not of the whole sum : And when you come to look into the man's estate, he has none ; or otherwise made it away, on purpose to become a cheat to the nation.

But you may, perchance, object, and say that you cannot find any minister that can give such security ; or, if he could, he ought not to do it, for it is an infringement of her majesty's prerogative ; for it is fit and convenient, that as she is entrusted with all the monies so raised, it is her sole right to appoint such ministers or officers as she can confide in with the said money.

To which I answer, it customarily has been so ; but it is also too visible, for upwards of twenty years last past, that all that have been entrusted with the publick treasure, have made it their business to fleece the government of the publick treasure,

to embezzle and misapply the same; and how hard and difficult it has been to bring such ministers to account, the whole kingdom is very sensible of; and sure it is but reasonable to secure the publick treasure at all times: And if the House of Commons don't put a stop to this great evil, the nation will be utterly beggared at last. And there can be no other expedient found out as can preserve the credit of the kingdom, but by appointing commissioners of their own, viz. gentlemen of known estates; and to entrust them with 50,000*l.* a man, and no more, they giving security not to embezzle or misapply the same; if they do, their estates and security to make it good. And certainly it is impossible that any one of these persons should miscarry in their discharge of the trust reposed in them by the honourable the House of Commons.

But I very much wonder at this time a-day, why the low-church party should stand so tightly for the queen's prerogative, by saying, that such an expedient, if found out, will be an infringement of the same. Time was, that none were more violent against the prerogative of the crown than these very people; and now, in a trice, they are highly defending the prerogative. This, at first sight, looks mysterious; but I will unriddle this matter in a trice.

It seems, the prerogative they stand so tightly for, is to screen themselves, and that they might not be put out of that sweet and old arbitrary way of cheating the soldiers and the navy, and fleecing the kingdom of those few trifling millions, not worth the parliament's taking notice, which they had only gotten by cunning oversights and negligences in accounts, by such as, perchance, at first were not able to check them. This makes them stand so violently for the prerogative of the crown, which, by no means, they say, ought to be lessened; and it is what her majesty will never consent to.

Now give me leave a little. I think they talk for the queen, but would act for themselves: Their business is only to dive dexterously, and to take care that no other sharpers should come at the pocket of the nation but themselves: They have often found it full, and have as often left it empty, yet still they are struggling to continue in their old game, and are now cursed mad that any but themselves should be in the government, and are preparing gibbets for Mordecais. And what do not such ministers deserve, that deprive the queen of the service of the pick-pockets and sharpers of the nation?

These pretended friends to the government have indeed stuck fast to it, but it was like leeches sucking almost the very heart's blood of the nation; but a little salt from the hands of the parliament will soon shew what it was they adhered so close to the government for.

Are we not almost driven to the very brink of destruction? Our treasures are riotously wasted; our constitution in danger of being subverted; and the nation almost in general corrupted. And all this under a colour of a false pretended zeal for her majesty's person and government, when some men have arrived to such a height of favour in court, and such a degree of popularity in the city, that they have at last took upon them, with an audacious front, to direct the very monarchy.

They have been able, for many years past, to brand all those who took any care of our constitution, or offered to require any good husbandry in the disposition of the publick treasures, with odious unpopular names, and almost to stir up the mob against them: Thus, had they succeeded, the old English constitution had expired. And since the majority of the nation have, by their choice, sent us up such worthy patriots, it is to be hoped they will effectually take care of the monarchy, the church and state, and set the kingdom out of debt, and see that the army and the navy are well paid, and keep out, for the future, such ravening and devouring wolves, that have brought the credit of the nation to so low an ebb by their misapplications and embezzlements of the kingdom's treasure.

Is it not a strange and wonderful thing that while the nation is almost bankrupt,

wealthy men should shoot up in several offices like mushrooms; and while the government was endangered to be beggared, that all its servants should riot in such wealth and plenty, that the bare handling of a brush in any office was the ready way to a plentiful fortune; as if the publick treasure had been thrown in there only for the officers to brush it into their pockets? These abuses call loudly for reformation; and our representatives, no doubt, will do their utmost endeavour to amend the same.

And since some people may question to what ends and purposes members of parliament are elected by the people to represent them, I shall presume to give them these following instructions.

The business therefore of a House of Commons, is to represent the whole commonalty of England; that is, they are to do all such things, and exercise all such powers, for the welfare and safety of the publick, which the whole common people would be supposed to do and exercise, could they meet together, to counsel and debate orderly and quietly, and deliberate maturely, for their own common good and safety.

They are to appoint all publick disbursements, the quantity, time, and manner of their payments; the uses to which they are to be disposed, and, if they please, the officers through whose hands it shall pass. If so, now is the time then to appoint such officers of your own, and not suffer the nation any more to be cheated by upstarts; and such as have no visible estates to come at, when they embezzle the kingdom's treasure, as such have done for twenty years last past, without any publick remedy. This requires your publick amendment; for the war has left us very low in purse, the credit of the nation almost eclipsed by the late ministry, our funds anticipated, and deficient, and, to complete all, has left us a new debt of several millions. These considerations will oblige you certainly to prevent the like grand miscarriages for the future, by appointing, as we hope you will, such gentlemen of estates as may give sufficient security to perform that trust, which will be so very necessary for the kingdom's preservation and benefit in general.

2dly, They are to enquire how such sums have been applied, and if they find any misapplication, to bring the offenders to punishment: And this is a second reason why you ought to appoint officers of your own. For have not your honourable house endeavoured, for twenty years last past, to bring such evil ministers to account, and how often have you been prevented by cunning stratagems and delays of some greivous, whose interest appeared too great for you to cope with in another place.

3dly, They are to advise with, and assist the other two sovereign estates in all arduous affairs, especially in making and contriving good laws, for the security of our religion, liberties, and properties, of which, at this time, we stand in great need; for our occasional conformists, if not well looked after, will swallow up our government by this cunning hypocrisy, which is a villainous artifice, on purpose to bring in ruin to the church and state.

4thly, They are to revive such good laws as are antiquated, and to repeal them, if the reason be ceased, and the laws themselves of no longer use and benefit to the publick. And,

Lastly, They are to protect and preserve entire, the rights and privileges of the whole people, whom they represent as a third estate of the kingdom. And this loudly calls to you for amendment; what insolencies and affronts have been offered our church and state, by those very tender-conscienced people, our moderate dissenters? How often have they been for roasting, gutting, diewitting, mobbing, hanging, drawing, and quartering, one poor priest of the church of England, because he preached up passive obedience, a doctrine of the church, which, it seems, did a little too much grate upon the scrupulous consciences of our tender brethren, the most religious dissenters?

I say, this brought on all those affronts and insolencies which our holy church and constitution met with in a late famous trial, of ever glorious memory, in which her ma

jesty did not escape their vile tongues in their imperious and rebellious language. This also highly calls for your amendment, that it may never more be in the power of such persons to be so monstrously rude and uncivil as heretofore.

Now, if such offenders are not corrected according to their merits, the Lord have mercy on the nation ; for the government, both in church and state, are in a very dangerous condition, and won't be long before they are brought to destruction, which God of his infinite mercy prevent.

A parallel Account of the National Expences, from November 3, 1640, to November 1659 ; and from November 5, 1688, to Michaelmas 1700.

The Long Parliament's Account.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
SUBSIDIES, six, comes to	600,000	0	0
Assessments to disband the Scots and English armies	800,000	0	0
Tonnage and poundage, 19 years	5,700,000	0	0
Captives, nine years	27,000	0	0
Ditto, five years	75,000	0	0
Sale of Irish lands	1,200,000	0	0
Second sale	92,500	0	0
Third sale	30,000	0	0
Contribution for Irish protestants	100,000	0	0
Second contribution	50,000	0	0
Third contribution	30,000	0	0
Assessment through England for the British army in Ireland for five years	1,200,000	0	0
Twentieth parts of goods, &c. to raise an army for the Earl of Essex, for the defence of England	2,745,055	0	0
Ditto, second time	2,745,055	0	0
Weekly assessments towards payment of the said army, three years	5,617,583	8	0
Weekly meal to raise auxiliaries, six years	608,400	0	0
Monthly assessments towards payment of the said army, two years	488,064	0	0
Sir William Waller's army's weekly assessment, one year	84,258	5	0
The Scots army's weekly assessment, two years	168,000	0	0
Brown's army's weekly assessment, one year	38,400	0	0
Fairfax's army's monthly assessment at 36,366 <i>l.</i> three years	1,127,526	4	0
Ditto, at 60,000 <i>l.</i> per month for two years	1,620,000	0	0
Ditto, at 90,000 <i>l.</i> per month for one year, &c.	1,890,000	0	0

Forces raised on particular Counties, &c.

Exon, for five years, comes to	12,000	0	0
Hertford, one year, then associated	4,800	0	0
Isle of Wight, four years	1,900	0	0
Warwick, &c. associated five years	133,650	0	0
Plymouth, four years	28,800	0	0
Yarmouth, four years	19,200	0	0
Ailsbury, five years	1000	0	0

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Buckingham, four years	76,800	0	0
Eastern association, five years	1,234,962	10	0
Dorset and Pool, two years, and then associated	24,780	0	0
Kent, &c. associated five years	270,000	0	0
North Wales, &c. five years	38,652	0	0
Northampton, five years	119,200	0	0
Huntington, two years, and then associated	13,200	0	0
Southampton, four years	115,200	0	0
Newport-Pagnel, one year, then associated	49,000	0	0
London, &c. five years	5,600	0	0
Hull, five years	46,600	0	0
Chester county and city, one year, then associated	6,944	0	0
Glocester county and city, three years	163,400	0	0
Pembroke, &c. associated three years	20,090	0	0
Salop, three years	57,000	0	0
Leicester, three years	86,400	0	0
Wilts and Malmsbury, one year, then associated	2,900	0	0
Western, associated four years	509,160	0	0
Worcester, &c. three years	51,597	0	0
Middlesex, three years	108,000	0	0
London to set up posts and chains	96,000	0	0
Lincoln, three years	117,600	0	0
Derby, three years	48,000	0	0
Northern association, three years	433,831	14	0
Rutland, three years	29,000	0	0
Surrey, three years	44,000	0	0
Newark to be reduced, cost	9,916	12	0
Lancaster, two years	72,000	0	0
Newport, two years	89,904	0	0
Comte London to asses for horses and arms	10,000	0	0
Provision for maimed soldiers, &c.	18,180	0	0
Excise for seventeen years	10,200,000	0	0
Duty on coals, seventeen years	850,000	0	0
Duty on currans, seventeen years	51,000	0	0

Sequestration of Delinquent Estates, viz.

Bishops lands, four years	884,089	16	7
Dean and Chapters lands, four years	564,740	18	6
Inferior clergy's lands, four years	2,077,802	1	3
Temporal estates, four years	280,000	0	0
Crown lands, four years	280,000	0	0
Composition for court of wards, four years	400,000	0	0
Dean's Forest, four years	16,000	0	0
Fee-farm-rents, four years	1,054,392	0	0
Tenths of the clergy, four years	400,080	0	8
Prince of Wales' income	80,000	0	0
Timber for the navy out of delinquents woods	7,760	0	0
Postage of letters, fourteen years	301,000	0	0
Wine licence, fourteen years	312,200	0	0
Compositions for court of wards, ten years	1,000,000	0	0

	l.	s.	d.
Income of offices for publick service, fifteen years - -	850,000	0	0
Vintners delinquency - - - - -	4000	0	0
Compounding with delinquents for their estates - -	1,277,226	0	0
Disbanding the army - - - - -	900,000	0	0
Militia of England kept up thirteen years - - -	3,120,000	0	0
Oliver's expedition to Ireland - - - - -	150,000	0	0

Sale of Lands, viz.

Bishops lands, at ten years - - - - -	2,420,224	11	6½
Dean and Chapters lands, ten years - - - - -	1,411,852	6	8
Rectory and glebe lands, twelve years - - - - -	6,203,586	3	9
Crown lands, thirteen years - - - - -	9,152,000	0	0
Prince of Wales's lands, thirteen years - - - - -	260,000	0	0
Fee-farm rents, eight years - - - - -	1,908,784	0	0
New River water, eight years - - - - -	8000	0	0
Tenths of the clergy, eight years - - - - -	1,200,240	2	0
Lord Craven and others estates, at thirteen years - -	700,000	0	0
Gifford and other estates, at thirteen years - - -	900,000	0	0
Sir John Stawell and others, five years - - - - -	560,000	0	0
Forest-lands, thirteen years - - - - -	56,000	0	0
Houses and castles of the king's - - - - -	600,000	0	0
John and William, Peter, and divers others, viz. 171 persons, their estates to pay Prince Palatine of the Rhine 5000l. in arrear, and 8000l. per ann. - - - - -	85,000	0	0
Oliver made Captain-General of Fairfax's forces, and the assessments for the armies of England, Scotland, and Ireland, 90,000l. per month for two years - - - - -	2,160,000	0	0
Assessments of 120,000l. per month for the said army and navy, one year - - - - -	1,440,000	0	0
Drums and colours 90,000l. per ann. for ten years - -	900,000	0	0
Irish delinquents to compound for two years rents - -	1,000,000	0	0
Oliver voted protector, and he assessed for the army 120,000l. and 90,000l. for three months - - - - -	630,000	0	0
Agreed 60,000l. per month be the pay of the arms for six years -	4,320,000	0	0
To defray the charges of justice 200,000l. per ann. six years -	1,200,000	0	0
Free gifts to the saints in money - - - - -	679,800	0	0
In places (excluding the army and navy) per ann. seven years -	306,110	0	0
In estates per ann. for eleven years - - - - -	189,365	0	0
Besides, the House of Commons voted each of their members 4l. per week, and count but 256 members, and no more, for fourteen years - - - - -	745,472	0	0
Total	95,303,095	1	11½

A general Abstract of Money raised in England by the Long Parliament, from November 3, 1640, to November 1659.

Subsidies	-	-	-	-	-	-	-	-	-	L.600,000	0	0
The armies	-	-	-	-	-	-	-	-	-	32,780,721	13	0
Tonnage and poundage	-	-	-	-	-	-	-	-	-	5,700,000	0	0
Captives	-	-	-	-	-	-	-	-	-	102,000	0	0
Sale of Irish lands	-	-	-	-	-	-	-	-	-	1,322,500	0	0
Contributions for Irish protestants	-	-	-	-	-	-	-	-	-	180,000	0	0
Forces for defence of particular counties	-	-	-	-	-	-	-	-	-	4,141,088	8	0
Excises	-	-	-	-	-	-	-	-	-	10,200,000	0	0
Duty on coals	-	-	-	-	-	-	-	-	-	850,000	0	0
Ditto on currans	-	-	-	-	-	-	-	-	-	51,000	0	0
Sequestrations of estates	-	-	-	-	-	-	-	-	-	6,044,924	17	0
Postage of letters	-	-	-	-	-	-	-	-	-	301,000	0	0
Wine licences	-	-	-	-	-	-	-	-	-	312,200	0	0
Composition for court of wards	-	-	-	-	-	-	-	-	-	1,000,000	0	0
Offices to publick service	-	-	-	-	-	-	-	-	-	850,000	0	0
Vintners delinquency	-	-	-	-	-	-	-	-	-	4000	0	0
Compositions for estates	-	-	-	-	-	-	-	-	-	1,277,226	0	0
Sale of English lands	-	-	-	-	-	-	-	-	-	25,380,687	3	11½
Settled out of gentlemen's estates to pay Prince Palatine	-	-	-	-	-	-	-	-	-	85,000	0	0
Compound with Irish delinquents	-	-	-	-	-	-	-	-	-	1,000,000	0	0
Charge of justice, six years	-	-	-	-	-	-	-	-	-	1,200,000	0	0
To the House of Commons, fourteen years, comes to	-	-	-	-	-	-	-	-	-	745,472	0	0
Free gifts to the saints, viz. in money	-	-	-	-	-	-	-	-	-	679,800	0	0
in offices	-	-	-	-	-	-	-	-	-	306,110	0	0
in estates, per ann.	-	-	-	-	-	-	-	-	-	189,365	0	0
Total										95,303,095	1	11½

A general Abstract of the Receipts and Issues of the publick Revenues, Taxes, and Loans, that has been granted to the late King William, from November 5, 1688, to Michaelmas 1700.

		The Receipts.		
Received on	Customs	-	-	10,997,955 6 3½
	Excise	-	-	12,105,151 19 7
	Hearth and letter-money, &c.	-	-	1,769,653 1 4½
	Land-Tax	-	-	17,520,100 14 5
	Poll-Tax	-	-	2,527,983 12 9
	Promiscuous Taxes	-	-	7,170,903 17 9½
	Divers receipts	-	-	466,999 1 4
	State of Loans	-	-	13,348,680 5 10¼
Remained Nov. 5, 88, with which the Treas. beg.		-	-	80,138 18 3
Total		65,987,566 17 8		

The Issues.

		<i>l.</i>	<i>s.</i>	<i>d.</i>
Issued.	To the Treasurer of the Navy, viz. Lord Faukland, in King James's time - - - - -	198,068	0	1
	To Admiral R—— in King William's time, Treasurer of the Navy - - - - -	16,940,497	1	10 $\frac{1}{4}$
	To Sir Thomas L——n, Treasurer of the Navy - - - - -	818,659	5	10 $\frac{1}{4}$
	Total to the navy,	17,957,224	7	9 $\frac{1}{2}$
	To the army, Lord Ranelagh - - - - -	21,239,723	6	11 $\frac{1}{2}$
	To the ordnance - - - - -	2,889,001	1	6 $\frac{3}{4}$
	To the civil list	7,882,391	10	2 $\frac{3}{4}$
	Divers services - - - - -	15,693,555	11	0
	Remained at Michaelmas 1700 - - - - -	325,671	0	2
	Total	65,987,566	17	8 $\frac{1}{2}$

Memorandum. There was issued more than received the sum of two farthings; a very nice account I'll assure you.

The total of the Long-Parliament 95,303,805*l.* 1*s.* 11 $\frac{1}{2}$ *d.* Of K. W. 65,987,566*l.* 17*s.* 8*d.* Of both, 161,290,661*l.* 19*s.* 7 $\frac{1}{2}$ *d.* An inconsiderable sum, considering our great deliverance from popery and slavery, and arbitrary government; and yet the saints want to deliver us of as much more, if we please but to be so good-natured as to let them set up a commonwealth.

Great Britain's Union, and the Security of the Hanover Succession, considered, in a Letter from Windsor, of the 30th of December, 1704, to a Member of Parliament in London. By a Person of Quality. 1705.

The Hanover succession was naturally a constant object of jealousy to the whigs during the reign of Queen Anne. It was well known that the queen herself regarded this collateral settlement of the crown with disgust, and most of her tory subjects were of the same opinion, although the time had not arrived for openly throwing off the mask. The disaffection of Scotland was also universal, and by passing the Act of Security they had positively refused to concur in settling the succession, until the English, by yielding them a share of their trade and privileges, should secure the religion, liberty, and independence of the nation. The author of the following Tract seems to have been struck with these impending perils, and argues with great apparent temper and moderation on the means of obviating them. He recommends closing with the Scottish claims, which was in a great measure accomplished by the union between the kingdoms.

SIR,

The extraordinary success of our arms both by sea and land, especially in the plains of Hochstet last summer, was so much beyond the expectation of any reasonable man,

and the event so far exceeded the first design, that it is not to be wondered, if a nation, raised to an extacy, by such uncommon and surprising accidents, had neither will nor leisure to think on any thing else : For as when men's eyes are too fixedly intent upon one object, they generally overlook other things, that both require and deserve their regard, so whilst the nation was thus at a gaze, few or none thought it worth their while so much as to enquire what was upon the anvil, or gave themselves the trouble either to weigh the true interest of the nation, or to search whether, in the midst of the deepest appearing security, there were not real designs of undermining us ; from what secret springs they had their first motion ; by whom, with what views, by what methods, and how far they have been carried on.

But men rather satisfied themselves with a general notion of things ; the busy part of the nation were torturing their fancies, to find out expressions of force enough to lessen and sully, by fulsome, sordid, and mercenary flattery, one of the most glorious actions of latter ages, that shines brightest in its native lustre, like the folly of those who would attempt to paint a diamond, whereby its original light and beauty is lost ; whilst others gratified themselves in a supine indulgence : And this careless temper grew to that height, that men of the best estates in England, and members of parliament too, were so far from knowing what had been lately done in a neighbouring kingdom, that when they were told of the Act of Security passed there the last session of parliament, they could scarce believe it, even when it was shewn to them.

'Tis true, a little before the sitting down of our parliament, the Scotch Act of Security began to be discoursed of amongst some men ; but whether it was to keep a great man or two in awe, by threatening them with it, or whether to make the better terms for themselves, is not my part to discover ; time will do that for me. But you may believe it upon the testimony of a near witness, that no men were more hot and violent against some persons, and thought their guilt more unpardonable, than those, who, in a very few days, were as ready to cover, as they before to accuse. What influence either pensions or promises had in this sudden and wonderful change, or whether any, I shall not trouble myself to examine ; only it happened cross, I believe, to the foundation of some men's merit, that nothing personal was ever designed by any, unless by themselves. However it was, it seems very probable to me, that if a certain lord had not taken notice of the business of Scotland, we had to this day been very much in the dark as to that matter.

Since that time, the face of our affairs has been so much changed, that instead of the lasting felicity and firm security we flattered ourselves with, a scene of threatening dangers, like a gathering tempest, has been opened unto us ; which makes it the duty of every man, that wishes well to Britain, to consider, how either the menacing storm may be avoided, or a safe shelter provided : But as the wisdom of prevention far exceeds that of remedy, so, if any reasonable and reconciling methods could be found out, (with submission to better judgments) they might be as effectual upon others, and less dangerous to ourselves, than either standing troops or fortified garrisons.

I shall take liberty to mention one or two, which, I think, would be of great service to England in this present juncture, if not to effect that mutual good understanding, which every man, wishing well to both nations, earnestly desires, yet at least to make us better known to one another.

And since we must have characters of distinction, I would rather chuse a real, than a nominal one, and would go down into my country with the mark of one, who, by all possible and reasonable means, would endeavour to heal the breaches, and create and nourish a good understanding, correspondence, and agreement, between England and Scotland ; of one who is for the real interest of England, as well perpetual as accidental, and would have neither betrayed, overlooked, or sold ; of one who is for the

settlement of the succession in the protestant line, and house of Hanover, and strict to national oaths and engagements, though under the Jacobitish name of a Tory; than of one who either makes the illustrious house of Hanover his jest, or the interest of England his property and pretence, and endeavours, by all the popular colours, to cover the advisers of those counsels that may prove dangerous to both kingdoms, though under the false character of a staunch Whig.

The first thing I shall mention is the matter of trade, which seems to be the tender point between the two nations: And if the general calcule be true, viz. that we have lost about two thousand ships since the present war, aboard each of which, by a medium, we may reckon ten men made prisoners, half of whom (by most credible information) generally enter themselves in the French service; according to which compute the French have near ten thousand of our ablest seamen at present in their pay the boys and old men being those that are actually sent us home in exchange; there could not be a greater service and security to England, than to let the Scots into such a part of trade, as may be no way prejudicial to the other parts, and be a constant nursery of numerous and able seamen, to be ready for service on all exigencies.

'Tis well known what advantages that nation has for fishing, and if there was a joint stock of both kingdoms, established by both parliaments for this single branch of trade, it would be a consolidating project, and might have as powerful an influence to bring that nation to a better temper as any other method.

Especially if in that establishment, the wisdom of the nation would think it reasonable to give the Scots a consideration for the great losses they sustained at Darien;* wherein, by some men's advice, there was more compliment paid to a Spanish monarch, and regard had to the interest of a neighbouring state, than either to parliamentary engagement, or personal duty: It might prove a very effectual way of defeating some men's designs, and settling the Hanover succession there, as we have done here. For I have always thought induction a much stronger argument to convince men than a formal syllogism, and that men are more easily persuaded of a general truth drawn from sensible, advantageous particulars, than by a demonstration grounded either on principle or maxim.

But since I have mentioned a neighbouring state, let us a little consider what great advantages the Dutch have over us with respect to our trade, our quotas, and our coin; either from our ignorance, or their influence and designs upon us.

First, As to trade: No man, I think, who knows any thing of the course of it, but must be of opinion, that the prohibiting the importation of French goods, whilst our neighbours the Dutch have the liberty of commerce with that nation, is as prejudicial to us as profitable to them: For 'tis most evident, that it were better for England to have wines, brandies, &c. immediately from France, in exchange of our home manufacture, than to have them under the notion of a prohibition by second-hand from the Dutch, by which means they have not only the advantage of settling and maintaining a present trade with France, and thereby an opportunity of beating us out of it for the future, but also make us pay ready money and higher rates for those commodities, which otherwise we might have much cheaper, and with more advantage. A particular instance hereof is the French brandy brought in from Holland, paying the duty but of Dutch goods, with a Dutch attestation of its being run there immediately from the stills into the casks, in which it is imported; it being the practice of the merchants there to put the French brandy into their stills, and immediately turn the cock, and run it into the cask; by which practice the laws are eluded, and England imposed upon. Besides this, the great duties that are laid upon imported goods, are as advantageous to the Dutch, as burthensome to our English merchants; for by this method our trade is

* It is well known how severely the Scottish nation resented the impolitic and unjust conduct of King William upon this memorable occasion.

very much driven from us, and the Dutch have the advantage of the freight, the commission, the customs, the petty charges, and the credit of a great part of it.

Every man knows, that trade is the true interest both of England and Holland; and of all the branches of it, there is none the Dutch more covet to monopolize than that part which is left to us of the East-India trade: And if they could but engross the pepper alone (as they have done the nutmeg, cinnamon, and mace) they might put their own price upon it, which, according to the rate it went last war, would yield them many millions. And here I could easily convince you, how constant a regard the Dutch have to the interest of their trade, if I would mention the private article of the Partition Treaty between them and the French king; and in how probable circumstances they are of obtaining again what by the said article was covenanted; but these things being, in my opinion, not so seasonable to be made more publick than they are, I shall only wish England may never be excluded any branch of her trade by any private article for the future.

As to our quotas, 'tis evident, the money exported hence for the subsistence, cloathing, ammunitiion, &c. of our land forces there, enriches them proportionably to what we are impoverished thereby: And it seems but reasonable, that since the dangers England is exposed to are by sea, as those of Holland are by land, we should have so much care of ourselves, as to have our security in our own hands as much as possible, and be at less charge in raising and maintaining land forces to defend and enlarge the Dutch barrier, though we should be put to greater expence in the defence of our own, by which our quota of charges in the present war would be still the same to us, but the advantage much greater, by securing ourselves at home, by increasing our trade, seamen, navigation, coin, and wealth, by maintaining our dominion of the seas, and making ourselves masters of the principal places of strength and importance in America, as the isthmus of Darien, Carthage, Portobello, Panama, and the Havanna, which, by our league with the house of Austria, we may keep, and thereby open a direct trade thither with our home manufacture for exchange of silver, instead of having it at second-hand by the way of Spain. Let none here object the difficulty of finding men for such a project, considering the great number our grand fleet will take up in time of war, for the Scots would most willingly join with us in this great design, and furnish more men than we have ships to put them into, which would so unite both nations in one and the same interest, that I can attribute it to nothing but the power of a foreign interest (this being the thing of all others the Dutch most dread) such a project has not been attempted, as the taking of those places has been advised before now.

But 'tis very amazing, if, under all these difficulties with which we struggle, and the vast expence we are at in maintaining so great a force abroad, any one should scruple to satisfy the nation, whether or no the Dutch make good their poor quota of three ships to our five; which one would think there should be no question of: And yet, if we may believe what we hear from abroad, ten ships to our thirty is all they are to provide this year. How this is brought to pass I shall not say, but have always thought it as reasonable, that the measures and quotas of our operations and force by sea should be regulated between Holland and us here, as that the scheme of the land forces should be concerted at the Hague, and that they should rather send an agent hither, than that the queen should be forced to send one of her admiralty thither to adjust our maritime affairs with them; though I doubt not but they are very thankful to some persons for this compliment, and find their own account too in being so. But unless some immediate care be taken of this matter, the time of the year will too far advance to make any alteration possible.

There is one argument more, which I think I need but name to convince any man that loves the welfare of England, how reasonable it is we should both be very exact and very positive in this matter; I mean the almost incredible losses we have sustain-

ed by sea since this war broke out; which are not only great in themselves, but irreparable to us: Towns may be retaken, provinces may be conquered or yielded up, but our merchants losses will never be repaid, our ships will never be restored, nor our seamen ever recovered. And though our losses by sea amount, I believe, to more than what the whole confederacy by sea or land has suffered, yet, lest the mentioning them should be more criminal than the neglect by which they are occasioned, or seem an attempt to lessen some men's high reputation and other men's great favour, I shall not enlarge further on this head, but hope the nation will take it into their consideration.

The last thing is the matter of coin, with regard to which, in how melancholy circumstances we are you may easily judge, if you consider (to omit other particulars) only the vast sums that necessarily go out of England in specie every year, to subsist, &c. our forces abroad, and that all the silver money which goes into Holland, is there melted down, lest otherwise it should find its way home: And besides this, the Dutch are so very covetous of our silver, that they actually give at present $56\frac{1}{2}$ stivers for every English crown piece, though the exchange is only $52\frac{1}{2}$; by which means such quantities of our coin are clandestinely carried thither, that we already find a sensible want of it; which course, if it be not speedily prevented, will leave us very little in a short time; for notwithstanding the foreign expence of our treasure is very great, the West-Indies bring us in but little supply.

I have been the larger on this head, to convince you how much it is our interest to strengthen ourselves as far as possible, by bringing in the Scotch nation to a union with us in the fishing trade; for want of which, the advantages the Dutch make by that trade are too many here to be enumerated.

How much it would be the interest of both nations to have the Scotch crown settled upon the protestant line and house of Hanover is so well known, that it needs no proof: It belongs not to me to say by what arts and methods that miscarried in the last session of the Scotch parliament; but surely there cannot be a more powerful motive to persuade the Scots to come into it, than by convincing them that we ourselves are in earnest: And I may say there cannot be a greater inducement to persuade that nation to settle their crown as we have done, or to secure our own settlement in case they should not, than if our presumptive heir of the illustrious house of Hanover was always residing here, under the care and protection of her majesty.

A few particulars, amongst many which might be mentioned, will be sufficient, I think, to convince any unbiassed man of the reason and advantage of this proposition.

'Tis certain, if the prayers of the people and the personal virtue of a prince could make any one immortal, the happiness and security we at present enjoy under her majesty would be perpetual; but how great soever these blessings are, they all hang upon the single thread of her majesty's valuable life.

The queen herself was so sensible of this, that, amongst other things in her first speech to her parliament, she recommended the procuring a lasting foundation of security to England, which necessarily includes the care of the protestant succession, because without it, as now settled in the house of Hanover by acts of parliament, what other reasonable foundation can we have of a lasting security to our laws, liberties, and religion?

That which every good Englishman, I believe, wishes, is a long life to her majesty, and a successor after her, that may inherit her virtues and piety, her zeal for the church, and her care for the state, who, being fashioned and formed by her own hand to her own mind, by a daily view of her great and princely virtues, may at once be led both to admire and imitate the great original.

Nor can there be, in my opinion, a greater advantage and security to the church of England, than to have a successor to the crown long and personally acquainted with the reverend prelates, her great ornaments and defence; whereby he would have a

greater opportunity of being more fully instructed in her doctrines, and more evidently convinced of their merit, who, in the late dangerous times, shewed their learning in their writings, and courage in their steadiness to her interest.

'Tis the glory of our religion, as of truth, to be admired and loved according to the degrees of its being known: So that it cannot be, without some prejudice to a church, that the presumptive successor to the crown should be at a distance from those persons who are best able to instruct him; and that he should receive things with the great disadvantage and uncertainty of distant reports, who otherwise might be an immediate observer of men's principles and actions.

It would be another advantage to England, rather to have a successor to the crown well acquainted with our persons, laws, customs, and constitutions, with a heart entirely English, than one, who, coming over very much a stranger to all these, is liable to the misfortunes of a late prince, who, by the weakness or flattery of his ministry, was led into such frequent mistakes, such false steps, as often proved very troublesome to himself, and very grievous to his people.

For the knowledge of men and things comes not to any person by infusion, but is gained by nice observation and great experience; and yet is so absolutely necessary, that 'tis scarce possible any government without it can be managed as it ought: For, as to the first step of government, the choice of a council, that must be the mere effect of chance in a prince, who is altogether ignorant of men's merits and qualifications; and the resolutions a prince, who is unacquainted with the nature and circumstances of affairs, takes upon the different opinions offered, are the effects of blind confidence, rather than the acts of judgment: The orders such a prince gives, the alliances he ratifies, the war and peace he makes, and all other treaties in general, are signed by a hand without eyes; he knows not what he does, and so treachery always finds him unprovided, and each minister reigns absolutely in that part of government which is assigned to him, making his fortune out of the publick, while all wink at one another.

But if it unfortunately happen, that such a prince puts himself and the government into one hand, no man knows what the consequence of such a confidence may be either to prince or people, for he is not born a prince; when he sees himself thus cloathed with delegated majesty, he will take pride in shewing it, by exercising both his authority and passions; and if he happen to be of a grasping and hungry temper, it is yet the more dangerous to the prince, who, if he knows it not, is generally accused of incapacity, remissness, or neglect; or though he does, yet may want strength, resolution, or knowledge, to free himself from such a clog, or change the scene of his ministry.

The great Duke of Buckingham, in the reigns of King James the First and King Charles the First, is an evident instance of this, who being a favourite of two princes, and having got the whole government into his own hand, set this nation so much against him (which could never yet bear a single minister) that he was accused in parliament of black and heinous practices against his late master, King James, and his ambition, avarice, and exorbitant power, laid the foundation of those fatal troubles to King Charles the First, than whom no prince, that ever swayed the English sceptre before him, began his reign with greater affection and love of his people.

These are some of the many advantages of having a successor to the crown residing here; besides which, no man knows what the danger of his absence may be in any fatal and critical juncture. The methods and directions relating to the settlement of the Scotch crown on the house of Hanover, make it reasonable for any man to believe it possible, that there may be a difficulty to call over the Hanover successor at such a time; for we may then have no fleet in readiness; sickness, or many other accidents, may hinder; the wind may be contrary. All men know, that wind, which may bring the French fleet hither, must keep him from hence; and who can be sure of a protestant wind twice? Scotland on one side is armed and angry; France, on the other, is

watchful and ready, with a powerful fleet and a bold pretender; and we ourselves so divided and weakened as to make the event of things in such a juncture uncertain:

Besides this, if we would learn from the experience of distant ages, the instances of King William Rufus, King Henry I. King Stephen and King John, may convince us how great an advantage he that first steps into the throne has of keeping it: And in the case of King Stephen, how weak a security the oaths and obligations of a nation is, even to the rightful and lawful successor.

But we need not look so far back, when we have so present and so chargeable an evidence of this truth before our eyes; for who is it that does not know that the present Duke of Anjou not only has got the possession of the Spanish monarchy, contrary to the most solemn oaths, renunciations, and engagements, by the Pyrenean treaty, that either the wit of man could invent, or religion make sacred, but also by stepping first into that throne, keeps possession to this day, in defiance of all the powerful assistance of the confederates to the lawful heir, and the general aversion of the Spaniards to the house of Bourbon?

These things put together, I hope may convince you, that the best way to induce the Scots to settle their crown, as we have done, or to secure our own succession in case they do not, is by having always the presumptive heir to the crown, of the illustrious house of Hanover, residing here, under the care and protection of the queen.¹

That her majesty may live long, and always hold the sceptre in her own hand; that she may have heirs of her own to fill her throne after her; and in failure thereof, that the protestant line, and house of Hanover, according to the national settlement, may take place; and that those who wish well to the peace, union, and prosperity of Britain, and to our English liberty, property, constitution, and religion, may be better known, and always prosper, is the hearty prayer of,

Sir,

Your, &c.

Windsor, Dec. 30,
1704.

An Essay upon the Union of the Kingdoms of England and Scotland.

The Scottish Act of Security, by which they refused to join in settling the succession in the family of Hanover, until their national grievances were redressed, left the English statesmen no remedy but to enter into war with Scotland, or accomplish an incorporating union between the sister kingdoms. The English had their doubts and apprehensions concerning the consequences of this great measure, although they bore no proportion to those which agitated Scotland, when on the point of identifying herself with her more powerful neighbour. The following sketch of the terms of the proposed treaty is written to obviate such objections as might be current on the southern side of the Tweed.

THE conveniency, if not the necessity, of the union of the two kingdoms, is no longer a dispute with those men that have given themselves the leisure to think of this weighty

¹ To this proposal Queen Anne intimated the most decided aversion.

juncture; but the practicableness of this union is what most people are in pain for. I should indeed despair of seeing this great work brought to a happy conclusion, did I wish for, or expect a union, upon any foot that hitherto has been proposed in print. Your universal or general union, which must carry along with it the destruction of the constitution of both kingdoms, and the resurrection of another in their rooms, is no more to be expected, than the annihilation of this world, and the succession of a new one in its place. Your foederal union can never subsist long, if it can exist at all, and tends more to disunite the two kingdoms from under one head, than to unite them into one body; but the union I wish for has neither the impossibility of the former in it, nor the precariousness of the latter.

If we are united so far as is necessary for the benefit of both kingdoms, and upon that foot that will remove the fears and jealousies of both nations, and redress the grievances complained of by both sides, then we are united to all intents and purposes. The benefit the Scotch expect from their union with England is a participation in the English trade, and the benefit the English may expect from a union with Scotland is an enlargement of trade, especially in the fishery, and a suitable increase of people to manage that trade, and to fill up the English fleets and armies; but chiefly what is wanting to complete the happiness of England is peace and safety, which England scarce ever enjoyed before the union of the two kingdoms under one head, and can't with reason expect to have continued, unless the said kingdoms be united into one body.

But how this union is to be made is what I intend to make an essay upon, and in order to this, I shall follow this method: First, To touch upon what the kingdoms are not to be united in, and again what they are to be united in.

As to the first, they are not to be universally or generally united, nor so united as to destroy the main constitution of either kingdom. We are united already under one head, and we may be united into one body, without confounding and destroying the laws and religion of either country, or exchanging one for t'other: For this reason, let the municipal laws of both kingdoms continue as they now stand; the English law for the inhabitants of England, and the Scotch laws for the inhabitants of Scotland; let the courts of law and equity, Doctors Commons, &c. stand as they are now in England, under the same form and extent of power and jurisdiction as in England at this day; and the courts of the lords of the session and council, the court of admiralty and the commissary courts of Scotland, continue under the same forms and extent of jurisdiction, as they are now at this day in Scotland. Let the parliaments of both kingdoms continue as they are, and to do every thing they can do now at this day, restrained so far only as shall be hereafter explained. Let the religion of both countries, or rather of church government, continue as they are established by law in both kingdoms. Let the churches of England and Scotland stand upon the two rocks they are built upon, with toleration to dissenters; and let the gates of hell never prevail against either of them, nor the gates of either of them prevail against the other; for the people of both kingdoms are very well satisfied with their own forms of religion, law, and distributive justice; nay, they seem to be fond of them to a high degree, and no doubt they have reason to expect no alteration in those things, and the union both nations have occasion for is to be made up of none of these forms and matters, but must arise out of a communication of trade, and unity of peace and war, in both kingdoms: And this leads me to explain what the kingdoms shall be united in, which are as follows:

First, Under one head, and in peace and war.

Secondly, In a unity or communion of parliaments.

Thirdly, In a unity or communion of trade and taxes.

Lastly, In a unity of administration in the publick revenues of both kingdoms.

As for the first, we are already possessed of that; for we are united under one crowned head, and in that crowned head the prerogative of making peace and war is lodged by the fundamental laws of both kingdoms; so I need say no more to this, since we are already fixed there.

Secondly, The kingdoms are to be united in a unity or community of parliaments, which is of absolute necessity; for albeit, by the constitution of both kingdoms, the prerogative of peace and war is lodged in either crown, yet the right of giving money for the support of the war is uncontestably lodged with the people assembled in parliament, or meeting of estates, as sometimes in Scotland; and since both nations are involved in one and the same fate of war and peace, it's but reasonable that the people of both nations should be heard in one and the same parliament, before they are concluded by this prerogative of the crown, or at least before they part with their money or men, for the support of the one, or the keeping of the other.

But this is but by the bye, but what I am to explain is, the how, or the way this union or communion of the two parliaments is to be made and supported; which, with profound submission to the publick, is of no great difficulty in speculation, nor can it be in practice. We have a precedent of this union of the two parliaments under a very bad government; and albeit the thing was the best that could be for both kingdoms, yet the manner of it was the worst that could be too, and all of a piece with the spirit that then prevailed; but I am not to make a criticism upon that government, being mindful of the business in hand, which is to draw out the first lines of this union or communion of the two parliaments, which I would have thus.

When the kings and queens of England and Scotland (who are the same royal persons, and stand upon the same right of succession in both kingdoms, so far as the line of succession is not altered by law since the Revolution) have occasion, or are obliged to call for the assistance of their subjects in parliament, at the same time the writs are issued out for the lords spiritual and temporal, and to the sheriffs, &c. for the electing the knights, citizens, and burgesses of parliament, let orders or writs be issued or given for choosing a certain number of Scotch peers and commoners, as shall be agreed by the act of the union, and after the manner hereafter described, to meet their king or queen in parliament. Let the Scots peers be admitted into the House of Lords, and the Scots commoners into the House of Commons, and let them have the same privilege, and no more, than every peer or commoner has in either house, in matters that are within the act of the union, but in others that are without the act of the union, and which relate to the particular constitution of an English parliament, the representatives of Scotland shall have neither vote nor voice; that is, neither a liberty to speak, or a right to give a vote; thus the jurisdiction of the House of Lords, upon writs of error and appeal, and the rights of both houses to propose and amend the laws, and relieve the hardships of them, upon the petition of the subject, will remain as they are now, and go on without any obstruction from the Scots members in either house.

And as the parliament of Scotland is to subsist after the union of the two kingdoms, as well as the parliament of England, for the regulation of their religion, laws, and good manners, and doing every thing a Scots parliament can do now, excepting trade, taxes, peace and war, in which the kingdoms are to be united, and by the united council of both nations in one parliament, are to be hereafter determined, let there be a certain number of English peers and commoners (the more the better for Scotland) to be chosen by each house apart in the first session of every triennial parliament: Let the same number of English peers and commoners be admitted into the parliament of Scotland, that of Scots peers and commoners shall be admitted into the parliament of England, but without any manner of right and privilege to speak or vote in that assembly, unless it be to make declaration or protestation against any motion,

speech, vote, or proceeding in the Scots parliament or members thereof, that may seem to intermeddle with the act of the union of the two kingdoms.

Now, as the union of the two parliaments, after this manner, seems to be easy and practicable, I cannot find out there can be any difficulty to agree upon the method of choosing the representatives of each nation, in either parliament, or the number of them alternatively.

As for the manner of choosing the English representatives in a Scots parliament, we have already hinted, that is to be done by the two houses apart in the first sessions of every triennial parliament; and let this election be upon the same day that each house chooses their committees; and let this election hold for the whole triennium of every English parliament, or for every sessions of such parliament, as hereafter shall be found convenient.

As for the manner of choosing the Scots representatives in an English parliament, the custom of Scotland seems to have prepared for that. In the Scots parliament there are three estates; the nobility make the first estate, the barons and representatives of shires make the second, and the boroughs or representatives of towns and corporations make the third estate: By the custom of Scotland, this last estate of the boroughs have a right to assemble once a year or oftener. What can be easier then, than that this same convention of boroughs shall, by orders to be issued out under the great seal of Scotland, be empowered to choose a certain number out of their body, to sit in every English parliament, and represent there the estate of the boroughs of Scotland? Sure this is very practicable and very natural. Now albeit, by the custom of Scotland, there is no such custom as a convention of nobles, yet let the act of the union supply this defect, and empower the queen, by proclamation, or otherwise, to call a convention of nobles, for choosing a certain number of their body to represent their estate in the English parliament. Both these conventions can be called to meet in different places of the kingdom of Scotland, and upon one and the same day, if occasion be, and can finish their elections within forty days, that by the custom of England is allotted betwixt the issuing out of writs for calling a parliament, and the meeting of the said parliament. As for the manner of the election of the representatives of the middle estate, the barons of Scotland, in my opinion, the present method of custom in Scotland is the best. That the landed men in every shire choose their own representatives, as it is in England, only I wish by the act of the union, the queen and her successors be empowered to issue out writs or orders to the sheriff of each shire in Scotland, for convening the landed men in each county for choosing their representatives to sit in the English parliament, and by this method, the elections of the shires in Scotland may be finished within the compass of forty days, and the elected have time to come to London within the said interval.

Now as to the number of the representatives of each nation in parliament, is what I hope will not obstruct the union. The English will be very easy in this matter; they have no reason to contend for a greater number of Englishmen to sit in a Scots parliament, than what the Scots shall desire of Scotsmen to sit in an English parliament; for they can expect nothing but charge and trouble by going into Scotland, and the more of them go into Scotland, (the more the better for Scotland) the more money will be spent in Scotland, and a better understanding propagated betwixt both nations, and better opportunities offered for alliances, friendships, and marriages, and for the improvement of trade, and encouragement of arts and sciences. On the other side, the more the Scots desire of Scotsmen, out of every estate, to sit in an English parliament, it is the worse for themselves, more money will be carried out of Scotland for the support and charge of their attendance. Upon a due reflection upon the whole matter on both sides, I am tempted to prophesy, that twelve out of the first estate, viz. the nobility, and one out of every shire in Scotland for the barons, which make but thirty-two, and

twelve out of the boroughs, in all fifty-six, make a greater number than in process of time will be desired.¹ By this scheme, the nobility, though they have but twelve directly for their estate, yet by the constitution of Scotland, they, having a right to vote in shires and corporations, will have an influence to choose a far greater number of barons and burgesses, and having their sons, favourites, and dependants, chosen for the representatives of these two estates; and, no doubt, this proportion of number the Scots nobility have by this scheme in the representation of their country in an English parliament, is equal to, if not more than, the proportion they have in the balance of the strength and wealth of Scotland.

These fifty-six members are a sufficient number of men to represent any kingdom, with all the train of its wants, necessities, and grievances; and if it is a very great inferiority to the number of an English parliament, yet no ill consequence can happen from that; for under a union we are but one nation, one people and parliament, and have but one and the same interest and design; and we may imagine with as much reason, that the representatives of the English parliament for the counties and corporation south of Trent should conspire to out vote the counties and corporations of England north of Trent, and oppress these countries with unequal taxes, &c. as we may fear the English members will out-vote the Scots members, and oppress Scotland with unequal taxes or partial laws; and as the former has never happened, so the latter is never to be feared.

Thirdly, The kingdoms are to be united in trade and taxes.

By the act of the union, let the kingdoms of England and Scotland be deemed one and the same in all respects in trade and taxes. Scotland shall be considered and deemed as Yorkshire, or any other county of England, and England as the Lothians, or any other shire of Scotland. Let there be no tax, custom, or imposition whatsoever laid upon the persons, product or manufacture of either kingdom, but the same that is laid on both, and by the united parliament of both kingdoms, as above described. By the same act, Scotsmen, and Scots merchants and traders, shall be deemed as Englishmen to all intents and purposes, and Scots merchants and Scots ships, Scots masters and mariners, shall be deemed as English-built ships, and as English ships, masters and mariners, and shall trade by land and by water coast-ways, and over sea, into any part of England or Ireland, or any part of the English plantations in Asia, Africa, and America, and shall there enjoy the same rights and privileges as Englishmen, English masters, ships, and mariners, can or may do. On the other hand, English merchants and sailors may go and trade into Scotland by land or by water, and shall be judged Scotsmen, and the product and manufacture of England shall be judged the product and manufacture of Scotland to all intents and purposes. In a word, the inhabitants of both kingdoms shall have one and the same right to trade every where, with reservation of the rights and privileges of the East India companies of England and Scotland, established by act of parliament, both which companies, by the act of the union, shall be confirmed in, and confined to the rights and privileges of these several establishments, neither company shall interfere with the rights and privileges of the other company. The goods of the East India and African company of Scotland shall not be importable into England, nor, *vice versa*, the goods of the East India company of England shall not be importable into Scotland. And with reservation of the rights and privileges of other companies, established by charter in England,

¹ The allowance of the essayist is more liberal than that finally adopted by the treaty of union. The Scottish commissioners were desirous to propose sixty members as an adequate representation of Scotland. Their English coadjutors proposed the number returned should be thirty-eight only, and when, with great difficulty, they extended it to forty-five, the Scottish commissioners were privately informed, that this was the utmost limits of concession. Somers and Godolphin were probably anxious to guard against the risk of introducing a national faction into parliament; but upon every principle of calculation the representation of Scotland was most iniquitously curtailed.

and with the reservation of the corporations of England and Scotland, established by charter, into which English and Scotsmen may be admitted *hinc inde*, or on both sides by purchase or servitude, as Englishmen or Scotsmen are, but the companies and corporations themselves are to remain *statu quo*, after, as before in the Union.

This scheme of trade is very plain in speculation, but how to reduce it to practice at all, and under the present circumstances of both nations, is what seems to be very difficult at first sight, but upon closer view it will not appear impracticable.

In order to this, we are to consider, that although the Scots are poor, the publick of Scotland is not in debt to the value of one farthing; and on the other hand, although the English are rich, yet the publick of England is under the debt of many millions. I dare answer for all the well-wishers in England to the union of the two kingdoms, that it is none of their intention, by uniting with Scotland, to draw the Scots into part-payment of their debts; nay, indeed, I can't suggest any other thought of Englishmen in general, nor can I believe they will ever bear to think or hear that the Scots shall bear any part in the charge of this present or last war that were entered into, upon English views and English interest, by English councils, and for the glorious and inimitable design of delivering the princes and states of this western part of the continent of Europe from being or falling a prey to the power and ambition of France.

This design was too great for all Europe, without an English genius and an English purse; and far as it is above the pretensions and abilities of the Scots, so no less far was it against their interest; for which they have no reason to expect to bear any part in the execution of it: I say this war, and the last with France, is against the interest of Scotland, considered in a separate state from England, whose main politick must be to keep well with France, for many ancient reasons, besides the modern ones of trade and protection. France can best support Scotland in a separate state from England; and is both able and willing to raise the trade of Scotland, by taking off the prohibition upon their *poisson salée*, herrings, salmon, &c. by getting their linen and woollen manufactures importable into Spain and the Spanish West Indies, which the French king is not wanting by his emissaries to propose to the Scots, together with the renovation of the ancient league of Charles and Achaius, and a restoration of the nobility to their ancient posts in the guards and court of France, and of the merchants to their ancient privileges in the ports of that kingdom, and a great deal more, if they will break off the union with England; but, under correction, I am sensible I go off from the business in hand, and shall say no more than this upon the whole matter: It is very hard to believe the Scots ought to bear any part in the charge of this war, that was entered into without their advice or consent, as well as against their interest.

But the case will not be the same in future wars, under the state of the union of the two kingdoms, which can but have one and the same council and parliament to advise and support them; in which the Scots having their representatives as well as the English, matters will be accommodated as best suits to the whole and every part of both kingdoms, to which the Scots will submit unanimously and cheerfully, the case, circumstances, and interest of both kingdoms being then one and the same.

But then I know the reader is impatient to ask what it is the Scots are able to pay, and what they are willing to pay, towards the support of the government, in peace and war? In answer to this, we first must consider both kingdoms under the circumstances of peace at home and abroad, and an absolute disincumbrance from publick debts; if the kingdoms are united under these circumstances, I desire to query what will be sufficient for the civil list, and for guards and garrisons? It will be answered me, that seven hundred thousand pounds for the civil list, and three hundred thousand pounds for guards and garrisons, is near about the sum given to the late king and her present majesty, and is sufficient for England in times of peace. For Scotland, I must answer, it will be an addition of charge to her majesty in the civil list, and in guards

and garrisons likewise; but so small a charge, that Scotland will do more than pay her proportion of both, as hereafter will appear. The civil list in Scotland will come to nothing, or next to nothing, under a union with England. The treasury, exchequer, customs and excise of Scotland will be swallowed up in the English administration of the publick revenue, and yet will be no manner of additional charge to the revenue of England, besides a few salaries to inferior officers of customs and excise.

And for what remains of the civil list of Scotland is as follows:

Lord Chancellor,	-	-	-	-	2000 <i>l</i> .
Lord President of the Council,	-	-	-	-	1000
Lord President of Session,	-	-	-	-	1000
14 Lords of Sessions, or Judges, at 500 <i>l</i> . each,	-	-	-	-	7000
Two Clerks to the Council,	-	-	-	-	500
To the Queen's Advocate,	-	-	-	-	500
To the Queen's Solicitor,	-	-	-	-	300
One Secretary of State,	-	-	-	-	1000
					13,300

This is all the remaining part of the civil list of Scotland which will be a charge upon her majesty's revenue under a state of union with England. As for the charge of her majesty's commissioner to the Scots parliament, that will fall to little or nothing; for since the Scots parliament are not to meddle with any thing of money matters, there will be no occasion for high tables, great pomp, and great shew; indeed, if the house was left to adjourn itself, as in England, it would be a great amendment to the constitution of a Scots parliament, and take off the necessity of having any commissioner at all; a letter from the queen, empowering the lord chancellor, or any other person, to mount the throne, and give the touch of the sceptre to such acts as are ready for the royal assent, will answer all the business of a commissioner.

The guards and garrisons of Scotland will, for some time, indeed, be a charge of sixty thousand pounds to her majesty's revenue; I reckon two regiments of foot, and two of dragoons, and a regiment of horse, at the pay of twelve thousand pounds each, will maintain a far greater army in Scotland, than ever King Charles or King James kept in Scotland. But this charge cannot last long; if at all necessary, it can be but for a very short time, but at the worst it can be but sixty thousand pounds; which, with the charge of the civil lists, being thirteen thousand three hundred pounds, as aforesaid, makes but seventy-three thousand three hundred pounds, and this being added to the one million, for the English charge of the guards and garrisons of the civil lists, makes but one million seventy-three thousand three hundred pounds.

And now I come to answer the question, What the Scots are willing to pay, or able to pay, in times of peace? They are able to pay their proportion of this money, and they will do it most chearfully; for they can do it with far better ability, and less charge to themselves, than what has been raised from Scotland for the support of the government there since the restoration of the royal family.

In order to raise this sum of money, let the two branches of the revenue of England, viz. the customs and excise, be set apart; and let these branches be extended over Scotland as well as England; and let them be appropriated, by the act of the union of the two kingdoms, for guards and garrisons, and the civil list. These two branches, the reader will agree with me, are more than sufficient to raise the million seventy-three thousand three hundred pounds, above required, and when extended over Scotland, will still raise more. But the customs and excise, I mean the simple act of tonnage and poundage, and the two acts of excise of Charles the Second, of fif-

teen-pence each the barrel upon beer and ale; which two branches will still raise more money than the one million seventy-three thousand three hundred pounds demanded; and when extended over Scotland, they will not fall near so heavy upon the Scots as the present and past taxes, which they pay now, and have paid towards the support of the civil list, and guards and garrisons of Scotland, since the Revolution.

By the act of tonnage and poundage, the Scots merchants and traders will pay much about the same they do now, with their Scots book of rates, but will save five parts in eight in their duties upon wine, which, by that act, is but 3*l.* per tun for the French wines, and so in proportion for all other wines.

As for the excise, the Scots will not grudge to pay according to the two acts of the 12th of Charles the Second. By which act the Scots ale and beer cannot be judged above six shillings the barrel, every barrel being 32 gallons, according to the standard in the exchequer, which is answerable to 32 Scots quarts. The ale of Scotland (beer they have none in that country worth the noticing, or distinguishable from their ale) and when sold by the common brewer, generally over Scotland, will not amount to six shillings the barrel, and by the custom and practice of the excise office of England, will be judged and deemed so by the gauger or officer of the excise. Indeed I am of opinion the acts of excise want to be reviewed, for the general benefit both of the people of England and her majesty's revenue; and it is to be wished the act may run upon these partitions; every barrel of beer and ale, not above six shillings the barrel, to pay sixpence per barrel; and every barrel of beer and ale, above six shillings per barrel, and not exceeding ten, to pay one shilling per barrel; ('tis to be wished the Scotch excise may be fixed upon this partition) and every barrel of beer and ale, above ten shillings, and not exceeding one pound six shillings per barrel, to pay two shillings and sixpence the barrel; and every barrel of beer and ale, above one pound six shillings per barrel, to pay four shillings per barrel, over and above the additional nine-pences laid on the barrels of ale and beer since the Revolution; by this scheme the strong-ale countries will be brought to some level with the small-ale countries, and the fine-ale brewer with the porter's liquor brewer: And indeed it's unaccountable, that a barrel of ale at seven shillings, sold by the common brewer, shall pay as much as a barrel of ale sold by the same brewer at sixteen shillings, one pound, or three pound the barrel; and that a man, by drinking strong ale, should get the better of the publick by two-thirds in the excise.

Now, since it is agreed that these two branches of the customs and excise being sufficient to answer the charge of the civil list, guards and garrisons of both kingdoms, and since the Scots are willing to pay according to the laws establishing the customs and the excises of beer and ale, &c. according to the letter and equity of the act of tonnage and poundage, and the acts of excise of the 12th of Charles II. and according to the practice and method of the excise and customs of England, what can be required more of them? Sure the additional duties to the act of tonnage and poundage, and the additional customs now in force in England, and the additional nine-pences upon the barrel of ale and beer, and the new duties upon salt and malt, paper, births and burials, &c. ought not to be expected to be paid by the Scots; for these new and additional duties, customs, and excises, are the sores and wounds of the last war, and are the proper debts of England, which neither the Scots can or ought to pay; and this is more than what was agreed by the commissioners of the union the first year of her majesty's reign, that both kingdoms should pay their several debts, and neither kingdom be affected with the debt of the other.

And in times of war, that is, future wars, entered into after the expiration of this present war, the Scots will be able to pay a poundage upon land of one, two, or more shillings, or additional customs and excises, as well as most of the northern counties in England: Länd and trade in Scotland will improve in Scotland under an union

with England, the one in value and rent, and the other in extent and bulk; and so much as there is of land in Scotland, and how much that land is improveable, or how much the trade of Scotland is increasable, so much will there be added to the stock of England.

I know it will be a ready objection, that if the people of Scotland pay but according to this act of tonnage and poundage, and the two acts of excise of Charles II. they will be thereby enabled to run away with the trade of England, and underlive and undersell what Englishmen can do for: But to this ready objection I have this ready answer, That it is to be understood the Scots shall pay no more than according to the fore-mentioned acts of customs and excises; that is, within the present district and bounds of Scotland; but if the Scots import any manner of goods or commodities into England, for which they have already paid the custom, according to the fore-mentioned acts of tonnage and poundage in Scotland, as by certificate will appear, they shall be liable to pay the additional duties in any port of England, where the said goods or merchandizes are entered and landed. Thus the balance of trade will, after the union, remain as before the union, and what the Scots save of their customs and excises, is always to be understood of their home-consumption within the present district of Scotland.

On the other hand, the Scots will be ready to suggest they shall be no giners under these low customs and excises, since they are in England liable to the high ones as well as Englishmen; but, on the other hand, they are to consider, that they being under the low customs and excises at home, it will be a mighty benefit to them, for their living and manufacturing of every thing among themselves: But, above all, they are to consider, that upon the day they are united with England, the value of the land in Scotland will rise fifty per cent. and in progress of time will double, nay treble the present rental. The price of corn and meal will rise proportionably; and the poor and poor labourer and tradesman, upon the increase of trade in Scotland by the union, will have the money ready to pay for his corn and victuals, and other necessities, ten times faster than at the low rate. This is a demonstration to all men, that have any experience or insight in trade, and such persons as are but doubtful of this, let them ask those persons yet alive, that can remember the English administration in Scotland, from the year 1654, to the year 1660, they won't stick to tell them, that the price of meal rose then from half a mark Scots, to half a crown English; and upon the withdrawing of the English administration upon the restoration of King Charles II. the price of meal fell to half a mark Scots again; and yet the poor labourer had the half crown readier to pay under the English administration, than the half mark after the return of King Charles II. The reason was plain; under Cromwel, Richard, and the Rumps, was a unity of parliament, trade and customs betwixt England and Scotland, and under the same unity and good understanding betwixt the two kingdoms, the same benefits will return to both nations. Now I come to consider the last thing proposed,

Which is, an unity of administration in the publick revenue of both kingdoms.

The kingdoms being united under one parliament, in a communion of trade and taxes, it is of absolute necessity they should be under one and the same administration in the publick revenue. The constitution and method of the treasury, the exchequer, the customs and excises of England, are so far superior to any thing of these kinds that are to be found in Scotland, that I dare say the Scots will not contend for their forms and methods in these matters, but drop them with satisfaction. But at the same time they may expect with good assurance to see their countrymen provided for with places in these offices, in proportion to their merit, and without any distinction or reserve betwixt them and Englishmen: Thus the treasury and exchequer of England, together with the offices of customs and excise of England, shall stand as they now are established; but their authority shall be enlarged over all Scotland as well as England, and

all fraud and abuses in the revenue shall be tried by the act of tonnage and poundage, and the two acts of excise of the 12th of Charles II. and other acts and clauses of acts made since, for preventing of frauds and abuses, and the better management of the revenue of the crown, which are but very few, and lie within a small compass.

But then the question will arise, Before whom shall the trespasses in Scotland against the act be tried, upon action at law at the suit of the queen, or the subject? The English judges cannot have them tried before them; their circuits cannot hold assizes in Scotland, and it would be very hard to fetch the subject and their actions from the remote parts of Scotland to Newcastle, and have them tried there, and that but once a year. On the other hand, these actions cannot be tried before the Scots judges; for the revenues of customs and excise being within the union, cannot be tried or judged by them, nor can they any manner of ways interpose their authority in these cases. To obviate this, I would propose, by the act of the union, to have a court of revenue erected in Scotland, to judge of all actions brought at the suit of the queen and the subject, upon acts of parliament and laws relating to the revenue of the crown. This court to consist of five persons, two of which to be the surveyors general of customs and excise in Scotland for the time being, and three others to be named by the queen, English and Scotch as her majesty shall think fit, with power to try, and finally judge and determine all causes and actions brought before them, relating to the revenue. But no action shall lie before them until two months or sixty days after seizure made by the queen's officer; in which interval the subjects may have time to apply themselves to the commissioners of customs, in person or by proxy, to have justice done them to their satisfaction; but after the expiration of two months or sixty days, they may have recourse to the commissioners of revenue for a trial before them.

The acts and law relating to the publick revenue are so few, and so plain and easy, that it is not requisite to have a long study and practice in the municipal laws of either kingdom, to qualify any gentleman to be a judge in this court, and the court itself may be so formed, as to give all dispatch possible, with all safety, to the interest of the revenue, and the rights and liberties of the subject.

Thus I am come to the end of my essay, and how far I have succeeded in it, I must leave that to the publick, to whom I pray for the same temper of mind in reading of it, with which I have composed it, without partiality to either kingdom, but with a sincere, firm, and constant zeal for the union of both.

Scotland's great Advantages by a Union with England: Shewn in a Letter from the Country to a Member of Parliament. 1706.

SIR,

I AM glad you got safe to Edinburgh, and that you tell me the parliament is now met: And though you know my business is not, nor do I much meddle in the affairs of state, yet since you honour me so far, as to value and ask my opinion concerning the intended union of the two kingdoms, I shall not altogether decline obedience to your commands, nor interrupt your better thoughts by any prolix argumentation, but plainly and impartially tell you, that I wish nothing more than the prosperity and welfare of my country, and know no better means to procure the same, than by uni-

ting on such honourable and advantageous terms, as are said to have been agreed to in the late treaty, which, you say, was read in parliament, and ordered to be published for the satisfaction of the whole nation, who ought in gratitude to honour the persons and memory of those who so industriously and indefatigably bestirred themselves to procure them. And this I say without any bias or obligation to any party: For you know, I have not the honour to share in the publick management, nor ever enjoyed any other benefit from the government but what is common to all my fellow-subjects.

I need not tell you the unhappiness of both nations for many ages, of feuds, rapines, open wars, and devastations, and the many unsuccessful attempts made towards a happy union, till so great and good a design should be perfected, and accomplished in the days of a queen, who is as formidable to her enemies by her victorious arms, as she is loved of her subjects for the benign influences of her government. Now, instead of these calamities, let us consider what our hopes and expectations may be from the union of the two nations in one body, under one head, and joined in the same common interest.

And, first, as to religion. One great happiness of our island is, that we very early received the principles of Christianity, which are now taught and established among us, reformed from the novelties and superstitions of the church of Rome. And though our fatal divisions about the less essential parts of religion, have done no small prejudice to the peace and quiet of the church and state of both nations, yet, by God's blessing, it hath been preserved against all the secret machinations and open designs of its enemies; and, by a firm union of the two nations, may continue to be the bulwark of the protestant religion and interest.

I intend not to examine the different views and encouragement parties and factions may have from it, but in the general it is evident, that we are hereby secured against the common enemy; and if we cannot hope to be united in form of worship, yet we may see more of the spirit of moderation, and not grudge the indulging our dissenting brethren, in the way and manner of serving God, that is not contrary to his word, and most agreeable to the dictates of their own consciences; whereas, without this, and by a constant struggling and contention of parties, the common enemy may catch his opportunity of ruining both. You know me too well to think me enslaved into the opinion of men which is not founded on infallible truth and right reason; and that my principles are not so narrow and confined as to exclude such who are not of the same opinion with myself about church government and form of worship, from the title and hopes of a good Christian, yet I shall never wish to see idolatry and superstition prevail, which must be the necessary attendants of a popish successor: And whoever opposes the good intentions of a union, either maliciously or ignorantly, promotes these two mischiefs to his country, with many others that I shall not name.

And as an union secures our religion, so it procures the safety, prosperity, and peace of Britain. It could be easily proved from history, that all the advantages gained over this island by foreign enemies and invasions, were owing to the divisions separate interests found therein, which by an union are removed, and the island able to defend itself against any attack from abroad, and in a condition to give laws to their neighbours, which some of them well foreseeing, are not a little jealous of it, which should encourage us the more cordially to join in it, especially since it's proffered with so many advantages as could have scarce been expected, and never before procured.

That the advantages of it will equally redound to both nations is evident from this, that hereby are communicated and made common the proper benefits and product of both kingdoms; and by such an intercourse every body will be active in some business, whereby he may better his own fortune, and provide for his family. Our isle produces all things for the conveniency of human life, and our seas are stored with variety of excellent fishes, which offer themselves at certain seasons to our hands, and yet are neglected, though the catching them might employ and enrich many thousands who

live very idle and miserable. Our earth covers treasures of rich minerals, which either our little art, or less activity, cannot dig up and discover to the publick advantage. Nay, the very things about which our people are most common employed, cannot be exported to any tolerable profit. Whereas by a union I foresee a spirit of trade and industry, to prompt every body to undertake something of this kind, when they can expect to reap the benefit of their labours.

But then by a union we are secured of peace, one of the greatest of blessings. None that know any thing of our history can be ignorant how fatal the ancient wars betwixt the two nations were to both, and what devastations and depredations were daily committed. And can any thing more effectually prevent those mischiefs for the future than an union? When of one we shall be two people, have the same common cause and interest to pursue: No longer influenced by foreign states to the destruction of one another, but be able to stand our ground against their insults, and our island be one of those fortunate ones, which no enemy dares penetrate. Every body will allow that Britain produces as good men for arts and arms as Europe can afford, and have distinguished themselves so honourably in all the late actions abroad, that 'tis to be hoped the very name of our united island may strike an awe and dread on the proudest of our neighbours.

I do not say, that by an union all degrees of discord and dissention will be prevented, for as in the human, so in the politick body, some unnatural ferments and convulsions may arise, which by the direction of a skilful physician may be corrected; but the danger is greater when a cruel enemy attacks with sword in hand, and threatens without mercy to stab it to the heart. In a family there may happen quarrels and divisions among the domesticks, which yet hazard not the house so much as when it is assaulted by ruffians and robbers, ready to cut the throats of both master and servants. And therefore when our island becomes one body or one common family, every part and member of it will contribute to the good and safety of the whole.

In a word, sir, a union has been ever thought so much for the peace and safety of Britain, and so often attempted, that it's to contradict common sense, and the voice of mankind, to deny it. And therefore I apprehend the mistakes that are about it proceed from some other cause, and shall charitably suppose the opposers of it to have no other worse design and view, than that they conceive it not entirely for the advantage of Scotland.

But if they will allow themselves to reason calmly, and without prejudice, they will find that if the whole island gain by it, then Scotland must have its share of the advantage, and be in a quite other condition of thriving than it is at present. No doubt England expects benefit by it, and we have no reason to grudge it, if Scotland get more than the equivalent. England secures an old and dangerous enemy to be their friend, and thereby peace at home, and in more safety to carry on designs abroad. Scotland will not be alarmed by the threatenings of a powerful and rich neighbour, nor so easily put under the yoke of a foreign enemy. England gains a considerable addition of brave and courageous men to their fleet, armies, and plantations, and we secured by their protection, and enriched by their labours. We send our commodities and useful manufactures to them, and have money or other necessities remitted to us. They have free access to all our seas and ports, are capable of all privileges of burghers or citizens; and we the same among them, can plant colonies at a cheaper rate, and with more assurance than formerly, will see our artificers improve, and our land better cultivated and manured.

But though we could not reckon their advantages by it, and many others which I omit, this one consideration may be of some moment, that by it we may, and by all probability will, be in a better, but can be in no worse condition, than we have been for many years past, and without it may be still worse. It's a general complaint, that

since our kings lived in England, our statesmen have been obliged to go there for the affairs of the nation, and many drawn after them by hopes of preferment, and others by idleness and a vain curiosity, whereby this kingdom has been sensibly drained of money, and our affairs brought under the influence of others, who had no right to determine in them. All this must be acknowledged to have been, and will continue to be, as long as we are two bodies under one head, or two kingdoms with different interests, and so vastly disproportionable in strength and riches. For, can it be reasonably supposed or expected, but that after all the limitations and precautions the wisest parliament can make, the weakest of two kingdoms, under one governor, will be neglected when their interests run cross?

This has been our case for many years; and now we have a fair opportunity of remedying all those grievances, and preventing the hazard and mischiefs of a civil war, which may end in our utter ruin and eternal slavery, by an honourable and advantageous union, which perhaps can never be procured hereafter, though never so much wished for, when the occasion is lost. And to tell you my thoughts ingenuously, as our circumstances now are with England, and as we stand with our neighbours abroad, I think the matter may be reduced to this alternative, either union with peace and plenty, or dis-union with slavery and poverty.

When I consider these things more at length (which I only hint at here) I wonder there should be any found to oppose or marr so good a design. And yet in the little conversation I have, I can discover three sorts of men guilty of this, for very different reasons and accounts.

Some, through mistake and ill intelligence, fear their beloved model and form of church government may be thereby undermined and pulled down: And this very industriously insinuated to them by no hearty well-wishers to their cause and interest. For they will at last be satisfied that care enough has been taken to secure that precious jewel. But suppose it were not, to those who are not fully persuaded of its divine institution, nor regard it as a constituent part of the Christian and reformed religion, it would be no sufficient reason to oppose the common good and advantage of the island therefore. But since both episcopalians and presbyterians may be encouraged with the hopes of so much good from it, I think there should be no dispute on this head.

Others, besides Roman catholicks, who have no other design but to raise their fortunes on the ruins of the government, and of all that's sacred and civil amongst us, cry out no union, nor will hear of the same successor with England, having their eyes on another, whom though they name not, yet 'tis easy to guess whom they mean; but not so easy to fathom their reasons and inducements. If they be true-hearted Scotsmen, they will not strive to advance the interest of any prince to the disadvantage of their country. And to promote any to the throne of Britain, is plainly to leave Scotland in the same lurch and circumstances wherein we have complained it to have been those many years by past. *Melius exilium est tibi, quam reditus iste: crimine alieno exulas tuo redibis.* Seneca in Theb.

A third sort of men, though now declared enemies to an union, but seem to wish it, yet must be still quarrelling at something; and alledge, all things were not carried on in the late treaty to the honour and advantage of Scotland: For no other reason, I suppose, but because they were not called to it, or rather that they envy the honour of those who were so instrumental in procuring so good terms. To whom I may apply that of the poet,

*Dum malus obtrectat facta immortalia livor,
Nec sinit adjutas ductoris crescere laudes.*

And indeed I'm the more persuaded of this, when I consider the weakness of their objections and prejudices against it. Why, say they, to give up and yield our sovereignty; no more a parliament in Scotland; to be represented by a few delegates in a British parliament; no more the name of the ancient kingdom; our noblemen and peers to lose their birth-right; and a great deal more to this purpose; which are only specious pretences and plausible arguments, to startle such, who, not understanding the reasons and causes of things, are easily imposed on to entertain groundless jealousies and be frighted with words.

You know, sir, that on all occasions the private life and capacity I am in, give me, I have appeared, and still am, as much as any Scotsman, for asserting the honour, independency, and rights of my country, and am not insensible of the attempts made upon them, nor of the hazard wherein they may be hereafter, if we take not right measures to prevent it. Our eyes are now opened to see the error of screwing up the prerogative so high; to which both the contending parties amongst us gave their hands by turns. For, as the government either favoured or protected them, they were ready to go into the measures of it. And though much has been said and done in the late parliaments to recover our rights and liberties, yet nothing, in my opinion, can more effectually secure them to the benefit of the nation in general, than an honourable union, as it's now intended; wherein we are to meet our neighbours but half way, who come with equal concessions, and scruple not the alteration of names and words, when the thing is still the same.

I shall not trouble you with a particular answer to the objections here hinted at, knowing you to be too wise to perceive any weight or solidity in them. For when they are managed with all the art and force their formers can give them, they are not to be laid in the balance, nor will have any proportion to the universal good and benefit of the nation. Has it not been the general wish of all Scotsmen to be in other terms and circumstances with England than we have been for many years? And now when we are in a fair way of being so, to oppose it is no small degree of fickleness and inconstancy.

I reckon our sovereignty and independency to be more asserted in this union, and by the treaty about it intended, than we have had the occasion to do of a long time: And if we were to yield it upon the account of any false or pretended superiority over Scotland by England, or any other nation whatsoever, I think no honest Scotsman but would protest against it: Or if any such conveyance or submission were intended as was made by Baliol to the English, and offered by Queen Mary to the French in a secret article of her marriage with the then dauphin of France, dated the 4th of April, 1557, as it's to be found at large in *Recueil de Traitez*, &c. 1, 2, p. 510.

But here two nations equally free and independent one of another are willing to become one, under one sovereign, not regarding old names by which they were distinguished; but as they are inhabitants of one island, so to go under the common name of it: And though there were never another parliament to meet at Edinburgh, what's the loss, if our laws and liberties be preserved in one elsewhere? And who knows but the reasons of state and government may occasion some parliaments to sit in this northern part of our isle? For, I suppose, it will be made no necessary qualification of a British parliament, that it should always meet at London. And though this part of Britain had fewer representatives than are said to be agreed to in the treaty, yet we are not to fear the worse treatment for that, no more than the city of London does, which sends no more members than a town not so large by the hundredth part. For, by an union, we are no more two but one body, and who will hurt his own flesh?

I confess, of all ranks and degrees of men amongst us, our noblemen have the most to object, who seem to be debarred from the privilege of their peerage; and yet every baron may have the same pretence in a Scots parliament. But it is to be hoped their

lordships will not lay their personal rights and pretensions in the balance with the good of the whole nation. And I see no loss their families will suffer by their keeping at home, when the expences of a parliament journey may be more than many of them can well bear.

You know with what severity and rigidness many of our tenants are treated by their lords and lairds; and would it not be a mighty relief to them to be freed from such tyranny, and equally beneficial to the nation to have the art of improving land, and many other things, introduced amongst us, which I hope will be the consequence of a happy union. What is it that has made so much odds betwixt Scotland and England, in the riches of the people, and product of the ground, but their trade and industry? And what has more hindered our thriving therein, than the exaction of many masters upon their tenants and servants? Our land is generally racked and over-valued in the rent, and the leases given for so short a time, that the tenants are no ways encouraged to improve it, either to their own or masters advantage, nor can hardly gain a tolerable living by their toil and labour; whereas every body that knows any thing of England sees the contrary there, and may expect to see it among ourselves by such a communication as will attend an union.

I need say nothing of the encouragement our merchants and trading men have to join cordially in it, they of all others having the fairest hope of being gainers, not only by an open and free trade, but in company and societies with others, who will be infallibly invited to come and live amongst us, by the convenient situation of our ports to foreign places, and the great benefit to be made by the fishing in our seas; and what advantage this will be to us I leave you to judge.

Thus, sir, I have very briefly and ingenuously given you my thoughts of an union, without any particular expectation of advantage to myself; which, if they seem just and reasonable, you can improve in your publick occasions; and if I err or mistake, I hope you'll shew me wherein: For I know I write to one who is not acted and led by the sole influence of parties or factions, but by solid reason, and the true interest of our country, to which I vow myself a hearty well-wisher, and am,

Sir,

You most humble servant, &c.

A List of the Nobility and Gentry, now sitting in the Scots Parliament, who were for and against the Union of the Two Kingdoms. 1706.

We have few Tracts in this collection referring to the Union. Lord Somers was possessed of a large collection of manuscripts concerning this national measure, which might have thrown important light upon its secret history; but the papers were consumed by a fire in Lincoln's Inn:

Of the Nobility, Approvers 45.

THE Lord Chancellor.

Marquis of Montrose, P. S. C.

Duke of Argyle.

Marquis of Tweeddale,

Marquis of Lothian.

Earls.

Marr, secr.

Crawford.

Roths.

Eglinton.

Haddington.

Weymes.

Leven.

Belcarras.

Kilmarnock.

Dunmore.

Hyndfoord.

Stair.

Glasgow, *Ther. Deput.*

Hoptoun.

Lowdown, secr.

Sutherland.

Mortoun.

Roxburgh.

Galloway.

Dalhousie.

Northesque.

Forfar.

Kintore.

Marchmont.

Cromarty.

Roseberry.

Delorain.

Isla.

Viscounts.

Duplin.

Garnock.

Lords.

Forbes.

Elphinstoun.

Ross.

Torpichin.

Frazer.

Bamff.

Elibank.

Duffus.

Rollo.

Lord Register.

Lord Justice Clerk.

Of the Nobility. Noes 21.

Duke of Hamilton.

Duke of Athol.

Marquis of Annandale.

Earls.

Errol.

Marischal.

Buchan.

Glencarin.

Wigtoun.

Strathmore.

Selkraig.

Kincardin.

Viscounts.

Stormount.

Kilsyth.

Lords.

Semple.

Oliphant.

Balmerinock.

Blantyre.

Bergany.

Beilhaven.

Colvil.

Kinaird.

Of the Barons, Approvers 37.

Sir Robert Dickson, of Inverask.

William Nisbet, of Dirletoun.

Jo. Cockburn, jun. of Ormistoun.

Sir John Swintoun, of that ilk.

Sir Alexander Campbell, of Cesnock.

Sir William Kerr, of Greenhead.

Archibald Douglas, of Cavers.

William Bennet, of Grubbet.

Mr John Murray, of Bowhill.

Mr John Pringle, of Haining.

William Morieson, of Prestoungrange.

George Baillie, of Jerviswood.

Sir John Johnstoun, of Westerhall.

William Douglas, of Dornock.

Mr William Steuart, of Castle-steuart.

Mr John Steuart, of Sorbie.

Mr Fran. Montgomery, of Giffan.

Mr William Dalrymple, of Glenmuir.

Mr Robert Steuart, of Tillicultry.

Sir Robert Pollock, of that ilk.

Mr John Montgomery, of Wrac.

John Halden, of Glenagles.

Mungo Grahame, of Gorthie.

Sir Thomas Burnet, of Leyes.

William Seton, jun. of Pitmedden.

Alexander Grant, jun. of that ilk.

Sir Kenneth Mackenzie.

Mr Æneas Macloed, of Catboll.

Mr John Campbell, of Mammore.

Sir James Campbell, of Auchinbreck.

James Campbell, jun. of Ardkinglass.

Sir William Anstruther, of that ilk.

James Halyburton, of Pitcurr.

Alexander Abercromby, of Glassoch.

William Maxwell, of Cardinass.

Mr James Dumbar, jun. of Hemprigs.

John Bruce, of Kinross.

Of the Barons, Noes 33.

George Lockhart, of Carnwath.

Sir James Foulis, of Collingtoun.

Andrew Fletcher, of Saltoun.

Sir Robert Sinclair, of Longformacus.

Sir Patrick Home, of Rentoun.

Sir Gilbert Elliot, of Minto.

William Baillie, of Lamingtoun.

John Sinclair, jun. of Stevenson.

John Sharp, of Hoddum.

Mr Alexander Ferguson, of Isle.

Jo. Brisbane, jun. of Bishoptoun.

Mr William Cockran, of Kilmaronock.

Sir Humphrey Colquhoun, of Luss.

Sir John Houston, of that ilk.

John Grahame, of Killairn.

James Grahame, of Buchlobie.

Thomas Sharp, of Houstoun.

Sir Patrick Murray, of Auchtertyre.

John Murray, of Strowan.

Sir David Ramsay, of Balmain.

Alexander Gourden, of Pitlurg.

James More, of Stoniewood.

John Forbes, of Culloden.

David Beathun, of Balfour.

Mr Thomas Hope, of Rankeilor.
 Mr Patrick Lyon, of Auchterhouse.
 Mr James Carnagie, of Phinhaven.
 David Grahame, jun. of Fintrie.
 James Ogilvie, jun. of Boyn.
 Alexander Macgie, of Balgoun.
 Sir Henry Innes, jun. of that ilk.
 Alexander Douglass, of Eagleshaw.
 Mr George Mackenzie, of Inchcoulter.

Of the Boroughs, Approvers 33.

Sir Patrick Johnstoun.
 John Scrymsour.
 Lieutenant-Colonel John Muir.
 James Scot.
 Patrick Bruce.
 Sir John Arskin.
 James Spittle.
 Mr Patrick Moncrieff.
 George Monro.
 Sir Andrew Home.
 William Coltran.
 Sir Peter Halket.
 Sir James Smollet.
 Mr William Carmichael.
 Captain Daniel Macloed.
 Sir David Dalrymple.
 Sir Alexander Ogilvie.
 Mr John Clerk.
 Mr John Ross.
 Sir Hugh Dalrymple.
 Mr Patrick Ogilvie.
 George Allardice.
 William Alvis.
 Mr Roderick Mackenzie.
 John Urquhart.
 Sir James Steuart.

Daniel Campbell.
 Sir Robert Forbes.
 Mr Robert Douglass.
 Mr Alexander Maitland.
 Mr George Dalrymple.
 Mr Charles Campbell.

Of the Boroughs. Noes 29.

Robert Inglis.
 Alexander Robertson.
 Walter Stewart.
 Alexander Watson.
 Hugh Montgomery.
 Alexander Edgar.
 John Black.
 James Oswald.
 Robert Johnstoun.
 Alexander Duff.
 Francis Molison.
 Walter Scot.
 George Smith.
 Robert Scot.
 Robert Kellie.
 John Hutcheson.
 Mr William Sutherland.
 Archibald Sheils.
 Mr John Lyon.
 Mr Dougal Steuart.
 George Brodie.
 George Spence.
 Sir David Cunninghame.
 Mr William Johnston.
 Mr John Caruthers.
 George Home.
 Mr James Bethun.
 John Bayne.
 Robert Frazer.

Approvers 115. Noes 83. Protestors 67.

The Memorial of the State of England, in Vindication of the Queen, the Church, and the Administration: Designed to rectify the mutual Mistakes of Protestants, and to unite their Affections in Defence of our Religion and Liberty. 1705.

By the Earl of Nottingham.

This Tract is intended as a reply to "The Memorial of the Church of England," a celebrated pamphlet, published by Dr Drake, for the purpose of inflaming the public mind against the whig

administration, and exaggerating the apprehensions which many professed to entertain for the safety of the church.—*See the Ecclesiastical Tracts.* This memorial was presented by the grand jury of Middlesex on 31st August, 1705, and appointed to be burned by the hands of the common hangman.

Daniel Finch, Earl of Nottingham, although a strenuous church-of-England champion, was a sincere friend to the protestant succession; yet as he had uniformly appeared as the Coryphæus of the high-church party, and had even been the apologist of Dr Drake, when he was called before the House of Lords for his political writings in 1702, it would seem there is but slender authority for placing his name in the title-page of the subsequent treatise; not to mention that it contains a severe attack upon the measures against occasional conformity, which the Earl of Nottingham had so actively furthered.

To the Reader.

IN our present controversies, civil and religious, divers expressions are common in every body's mouth, but (as all sides complain) rightly understood by few; being mistaken by some, and misrepresented by others, according as they are severally influenced by ignorance, prejudice, passion, or design. Such are churchmen, the church of England, the high-church, the low-church, national and tolerated churches; the dissenters, presbyterians, independants, anabaptists, and quakers; toleration, persecutions, conventicles, the sacramental test, comprehension, and occasional communion; nay, whig and tory, the new and the old ministry, and the union of the two kingdoms, want an explanation no less than the rest. Care has been taken therefore, in the short compass of the following sheets, to set these things in a fair light, and to dispel those mists in which by art or chance they were involved; yet no where so industriously confounded as by the sophistry and illusions of "The Memorial of the Church of England," whereof the pages and passages are quoted out of the second edition corrected in octavo, but exactly compared with the first in quarto, which did not come into so many as the other.

The Introduction.

As the writer of this discourse has more reason, so he has as much authority to entitle it, "The Memorial of the State of England," as the author of a late libel to entitle his book, "The Memorial of the Church of England." Few will be found weak enough to imagine, that either of them was commissioned by those mighty bodies to speak in their names to the people: But though some may reasonably suppose that the state won't disapprove a just vindication of her majesty's person, laws, and administration, yet none will believe (at least none ought to do so) that the church will approve a clandestine libel, which is confidently said to be her offspring, though with no more reason than many persons have to call themselves her sons. She's too chaste and prudent a matron either to admit of such dishonourable pretences, or to forbear expressing some publick resentment of the affront; since her reputation is no less exposed, than her dignity and possessions are in endangered, by the extravagant behaviour of such a spurious issue, who want duty and natural affection to her, as they do submission and loyalty to the state. But the respect we owe to the venerable name under which the Memorial is ushered into the world, as well as the occasion it affords us of rectifying certain vulgar mistakes, and of clearing other matters which are not generally understood, oblige us not to let it pass without some animadversion, however the magistrate will think fit to account with the author, whom we neither know, nor will endeavour to guess. Had the memorialist's own example been deemed a good patron to follow, or that prevailing custom were a sufficient warrant for such a practice, 'twere easy per-

haps to trace and discover the true author; or, if there was a club of them, 'twere easier still to exercise our satire on their characters, as a certain duke and a doctor, a lawyer and a poet (the two last I believe unjustly) have already experienced from other hands on this very account.

But since we are only to examine the merits of the matter, we are nothing concerned for the names of the persons. Our cause has as little need of ill language as of violent measures: For we are convinced scurrility implies the want of reason, and that such things as cannot by justice, are maintained by force. Yet of all writers the memorialist (for we'll suppose it one hand) has least reason to complain of sarcastick, licentious, or foul-mouthed scribblers, whether he considers the choice flowers of his own gentle and good-natured rhetorick, or whether he has any regard to the credit and honour of his party. If the whigs have their *Observator*, have not the tories their *Rehearsal*? The *Review* does not take more liberty than the *Whipping Post*, nor is he a wilder politician than the *Mercury*. And many will think it a meaner character for *Ridpath* to be *Atwood's* antagonist, than to be author of the *Flying Post*: For in one respect I place *Atwood* on the tory side, since none in the nation but the memorialist and he assert our dominion and sovereignty over the kingdom of Scotland. In free countries such writers abound among all parties, though they are commonly but volunteers, and supported more by their hopes and good opinion of themselves, than by any real encouragement from others, which makes it an unjust, though a common practice, to charge whole bodies of men with their faults or with their virtues. And it argues want of consideration or integrity to say, as the memorialist does, "That the government, by conniving, are pleased rather to countenance than to correct or put a stop to 'em:" For our government, unless they transgress the laws, cannot silence these no more than other writers, let them tell never so many unseasonable truths, or form never so many indigested schemes, which serve more for entertainment than instruction to the people. We may be sure the government, though none of these are maintained at its charge, know what use to make of their pens; and I am in doubt whether it be more ridiculous or officious to put those in mind of suppressing such papers, who only can, and certainly will do so, whenever they think it lawful and convenient. This looks in itself like a trifling matter; but such as mean fairly and uprightly will think nothing too little to be cleared to well-meaning doubters, though others may abuse their goodness by the impertinent explications they demand.

For the rest, let it be remembered, that notwithstanding we speak for the state, we speak our thoughts; having the happiness to write in defence of a government, with which honesty is the best policy: And so long as the pilots of it keep to that point, that is, so long as they appear to make the interest of the nation their own, and consequently to pursue it with all their heart, they need not be disturbed by the clamour or envy of any party; nor fear that the people will grudge 'em those honours or fortunes which are but the just rewards of their care and pains for the publick good. But those princes or ministers, who, from being the common fathers and shepherds of all the subjects, degrade themselves into the petty heads of one faction, will probably in a little time be undermined and blown up by the contrary party, though it should be the worst and weakest of the two; for in such a state, matters are no longer carried on by prudent deliberations, unanimous wishes, and mature counsels, but by numbers, intrigues, cabals, expedients, or shifts, and at last by tumults and disorders. When therefore a state that is sensible of these things by experience (such as ours at present) comes to proceed on the true foundation of government, they must not only resolve to bear at the beginning with the vehemence, calumnies, railings, and other affronts of those factions or parties that monopolized all profits and preferments to themselves before, and of such as hoped to gain their sinister ends in the confusion and subversion of the whole frame: But also the complaints, murmurs, grumbling, and repining of

those other parties or factions, who, being hitherto oppressed, and treated with contempt, think it not enough that they are delivered from their hardships, but judge themselves unsecure from falling again under the like misfortunes, unless they obtain the place and power of their adversaries; which is to change hands, but not to alter measures, and to continue all things as they were, with the addition of mutual revenge and merciless retaliations. People of either stamp are astonished at indifference; they condemn all prudent measures as luke-warm, and abhor moderation.

Notwithstanding all this, we shall discourse with candour and impartiality in the following sheets, of the several churches, parties, ministries, and pretences of this kingdom, commending their excellencies, blaming their defects, and exposing their mis-carriages; but so as to expect little applause from the furious, bigotted, or designing men of any kind, though sure of thanks and approbation from the calm, sincere, religious, and publick-spirited persons of all denominations. The grievances whereof the memorialist complains, being the very subject I propose to explicate, are chiefly reducible to three heads, The Church, the Dissenters, and the Ministry, to which may be added the Toleration. But that the true state of our religious controversies may the better appear, and that the reasons of the present administration may be the clearer perceived, we shall begin higher with some of these heads, than to unthinking men will seem necessary; but not so to those who consider how constitutions vary in their frame, as well as words in their significations, both being in a perpetual flux, and never long at a stand. This produces great difference of circumstances, not equally applicable to all times, places, or persons; and therefore skilful pilots will alter their buoys, and direct their course, according to the shifting of the sands or the tides, and carefully avoid shipwreck on that bank, where there was formerly deep and safe riding for the ship of the Commonwealth.

Of the Church.

After the Christian religion had been miserably polluted and depraved almost over the whole world, and that it was metamorphosed into the vilest superstition, idolatry, and tyranny, that ever was, far beyond the follies of the Jews, or the frauds of the heathens, it was at last, by the special favour and blessing of Almighty God, recovered and reformed in many parts of Europe, and particularly in these kingdoms of England, Scotland, and Ireland. It could not be expected that this reformation should be so perfect at the beginning, as that all persons should have the same notions about it, no more than they all had the same degrees of application, capacity, light, or knowledge: And it was a much greater wonder that any of 'em saw so much, considering grossness of the preceding ignorance, than that many of 'em did not see more or further. However, by the church of England was then understood (in other reformed countries) all the protestants in England without distinction, though from the very first they were divided in their opinions; as we daily pray for the reformed churches abroad, wherein the differences both of doctrine and discipline are very numerous.

But as all men are not agreed about what's orderly and decent, which ideas cannot be the same to all persons or in all places, as depending on habitual customs and arbitrary institutions, so there arose many disputes here as well as elsewhere, about the best manner of preserving the purity of our religion, and the most acceptable way of performing our worship to God. Some were persuaded that the doctrinal part being to be learned only from the Scriptures, where it is fully expressed, the circumstances of worship ought to be regulated according to the light of reason and the customs of each country, which, though varying in many places, might contain nothing wicked or prophane; as uncovering your head in one region, and only bending your body in an-

other, betoken the same respect, and with equal decency. These men (who, from a learned physician of that opinion, were since called Erastians) thought the government of the church did not differ from that of the state, the same persons being members of both, though the church might have its proper officers, about whose names, parity, or subordination, they were not very solicitous, provided they served the purposes for which they were designed and ordained. Others, on the contrary, held all these things to be particularly defined and specified in the Scripture, both as to the names, degrees, and offices, and that the ecclesiastical was wholly different from the civil power. The state, which in the meanwhile thought of these matters with less passion and more circumspection, concerted the most effectual measures of bringing the body of the people to embrace the purity of the doctrine as the principal matter; and were of opinion it might soonest be accomplished by changing as little as possible in the external forms, habits, and ceremonies, of the clergy. Wherefore, for this and some other considerations, after rejecting the pope, cardinals, and all spiritual or foreign headship of the church, they retained the names and offices of archbishops, bishops, deans, archdeacons, and such like. Yet few or none maintained the divine right of episcopacy till later days, though they highly and learnedly contended for the expediency and reasonableness of the same, no less from its being of so long standing in the church than from its conformity with the civil part of our constitution.

There were others, and from the very beginning of the Reformation, who earnestly solicited to have this order of diocesan bishops quite abolished, as popish, unnecessary, not warranted by Scripture, and dangerous to the state. These affirmed the parity of all the gospel ministers, but differed among themselves about the manner and efficacy of ordination, and the power of synods: They, who for that reason were called presbyterians, allowed presbyters only to ordain, and that with imposition of hands, giving great authority to their synods over the inferior presbyteries, equal to that of episcopal convocations in matters of discipline and doctrine. And such again as were first called Brownists, from one of that name, and since independants from their opinion, maintained against both the other, that protestant synods or convocations could claim no more power or infallibility than popish councils, and that all churches or societies (gathered out of the world according to the mind of Christ) might by common suffrage chuse their own pastors, who were to be in no subjection to synods, nor accountable for their doctrine to any higher power on earth, since they allowed no catholick church as an organical body with spiritual authority, meaning only the whole multitude of believers by the catholick church whenever they used that phrase. But episcopacy established by law, and the most rigid of that side affected to call themselves the church of England exclusively of others, which in time obtained to be the language of custom, as it was the stile of the municipal and canon law before. Endeavours were used to bring to a conformity the independants and presbyterians, who were all promiscuously; from their strict manner of life and conversation, branded with the nickname of puritans; and when they would not yield in dispute, nor be reduced by persuasion, 'twas thought proper to treat 'em with force, though but a little before we justly exclaimed against the papists for the like practice, and expressed our abhorrence of all compulsion in matters of religion as unreasonable and tyrannical. They who meant the most honestly in advising this rigour, were such as had a mistaken notion, that diverse religions, or diversities in the same religion, were inconsistent with civil government, which hereafter we shall demonstrate to be an error both in right and fact. They who meant worse, were such as professedly allowed of force over conscience, at least in points of discipline, or who, by excluding others, would engross the whole emoluments and benefices of the church to their own party. And they who meant worst of all, were the secret favourers of popery, who thought no method so likely to restore it, as to put our princes at grasping at arbitrary power, and setting

our different parties together by the ears, thereby to weaken each other, or to drive some of 'em to join, out of resentment, with them.

I make no doubt but all protestants are convinced, that the papists have been carrying on a conspiracy against the Reformation in England, and consequently against the state, ever since we abolished popery; which is not so monstrous in them who believe infallibility, as persecution is in other people. They have endeavoured to execute this plot many ways, and it has often broke out under various circumstances: But God has always defeated their mischievous designs, and sometimes wonderfully delivered us when our recovery was thought impossible. One of the enemy's devices was to exasperate the church against the nonconformists, and to create strong jealousies between both parties. This they knew could not fail of two effects: The one to make the church recede from the nonconformists as far as they could, which gave the papists hope they would come the nearer to them; and the other, that the nonconformists growing uneasy under their sufferings, and more apprehensive of the growth of popery, might prove undutiful, and provoke the government to use 'em worse than before. In these disorders they expected to find their own account, and he that is not unacquainted with history, can tell how well they succeeded. By such artifices many of our clergy became more concerned to preserve the hierarchy than the protestant religion; and I fear the brains of some others were intoxicated with the grandeur and splendour of the ancient patriarchs and councils, which made them in several books regret the loss of certain powers and offices at the Reformation, no less than the alienation of the abbey lands to laymen, as judging 'em necessary to support the dignity of the church, for the church in the sense of these men was only a corporation of the clergy. Archbishop Laud gave much reason to suspect that he aimed at a sort of patriarchate, and to be stiled, as the Archbishop of Canterbury was in former times, *alterius orbis papa*, the pope of the other world, as the British islands were reckoned on their first discovery: But I think 'em extremely ignorant or unjust, who affirm that this great prelate was in doctrine a papist, or popishly inclined.

The nonconformists, on the other hand, considering the bishops were established by laws which must be only repealed by the same authority, took sometimes imprudent and unprecedented methods to hinder them from acquiring further power, and to prevent the introducing those new or rather old ceremonies, which were revived to beget the greater veneration for the ecclesiastical body under the pretences of order and decency; but which in effect begot a more visible conformity between us and the church of Rome. To men of sense this could do no harm, yet was it of dangerous consequence to the vulgar, who are ordinarily led by appearances, and to whose dispositions great regard is to be had in all concerns of this nature. The generality of 'em were against these things. And when the struggle was begun between liberty and prerogative, the assertors of the first got all the nonconformists to join with 'em; to continue which assistance they declared of course against the bishops, who had meddled too much in civil affairs, and particularly by raising the king's prerogative. As a return of this service they hoped to bring about their own designs, and to make his majesty their steady friend and patron against all their opposers, wherein he shewed more constancy and gratitude than his son James the Second did to the preachers of passive obedience. The king's enemies becoming superior in the war, and the gentlemen who joined with the nonconformists on a political bottom, minding the settling of the state and foreign alliances more than their particular discipline, the nonconformists (who were the greater number) gave such a weighty turn to affairs, that there was no protecting of their adversaries from their vengeance. They returned all their ill usage fourfold upon their own heads, though it must be acknowledged they gave no such remarkable instances of cruelty or severity as the Star-Chamber and the spiritual courts did before the war. But in their committees, trials of scandalous or unqualified minis-

ters, in their deprivations, censures, and the like exercises of authority, there were more abuses and injustices committed, than are capable of any defence or apology, and which the former rigorous proceedings of the bishops cannot any way justify in men professing the Christian religion, and that set up for champions of civil liberty.

We all know by what means royalty and episcopacy were afterwards restored, and from the premises we may easily deduce the original of the distinction which has ever since continued, and which makes so much noise among us at present, I mean the high and the low church. By low-church men are signified those who approve of episcopacy, the liturgy, and discipline established by law, but who believe the protestant religion may subsist (though not so well) without them; who therefore have a brotherly charity and communion with all other reformed churches; and who wish the dissenting protestants at home would comply with the law in matters indifferent or unsinful, though in their private opinion not the purest; but who, if the dissenters will not allow this indifference or unsinfulness, are for bringing them to conformity, with calm reason and amicable persuasion, and not by laying them under any force or compulsion, so long as they join with us in defence of the same doctrine against the papists, and are as hearty as ourselves for supporting the civil government. The high-church men are they who maintain the order of bishops (superior to presbyters) to be of divine institution, being of such absolute necessity that no true orders can be conferred, and that no regular Christianity can subsist without it; who on no considerations are for making any changes in our discipline or liturgy, though they neither profess themselves nor the authors of it infallible; who treat all protestants abroad as if they were not Christians, so far are they from acknowledging them for brethren; and who are for compelling the dissenters at home to conformity, by penal laws, censures, and incapacities. The low-church men have been always for limiting the civil government with laws, preserving to the king and to the other two estates, their several privileges and prerogatives, and their liberty and property to the people. But the high-church men have been generally for the uncontrollable power of the prince in temporal affairs, as most agreeable to the jurisdiction they claim themselves in ecclesiasticks; though 'tis observable that they have twice declared for limitations to the crown, first when they questioned the prince's title, and next when the prince was not for their purpose.

From this short view, and from the whole course of the English history, it appears, that the high church is not the church of England, but a certain number of clergymen and laymen, who are either favourers of popery, or who are averse to our mixed government and her majesty's right, both which sorts make those their tools who keep a mighty noise to be let into places, or who raise a great clamour for being turned out of them. The body of the church of England, on the contrary, are as zealous for the protestant religion, and the liberty of the government, as any community in the world, yielding to none for learning, piety, or virtue. And therefore they are not to be charged with disaffection to her majesty, or inclination to popery, from the discourses, writings, or actions, of those conspirators, who, under so many different colours since the Reformation, have been labouring to destroy her, and who at length, in our days, have boldly thrown off the mask, many of 'em refusing all communion with us, and arrogating the name of the church of England solely to themselves. Nor needs there a more palpable demonstration of their hypocrisy to any man of common sense, than the schism that most of 'em have lately made from us, with whom they yet profess to agree in doctrine, discipline, and worship, having separated for no other reason than because we deposed a prince that would rob us of this same doctrine, discipline, and worship; and because our parliament deprived those bishops who would not approve our thus preserving our spiritual and civil rights, according to the laws of nature and the

land, though we supplied their sees with men of eminent learning, piety, and zeal, who signalized their abilities in defence of our religion and liberty.

From the church of England we must likewise transfer to these men the reputation we have got of being both uncharitable and unmannerly. 'Tis past controversy, that their notions of schism and ordination (never approved or understood by the fiftieth part of our church) have occasioned the imputation of uncharitableness, and not without reason, had we been justly chargeable with such strange opinions. 'Tis no less evident, that it is in the polemical, or rather political books of the same men, you read the scurrilous reproaches they cast on others, and the vain-glorious commendations they bestow on themselves, which are indeed the quintessence of ill manners: Such as that they are the best reformed church in the world, which may be true, though not fit for them to say; "that they steer between the gaudy dresses of affected Rome, and the slovenly attire of nasty Geneva;" and the memorialist says, "That no sect or sort of Christians whatsoever can boast of so extensive a charity, or so good-natured a discipline," when in the same libel, he who pretends to be their mouth, arraigns the government for not passing the bill against occasional conformity, falls foul on the bishops for the mildness of their discipline, in relation to their protestant brethren, without mentioning a syllable of the popish recusants; and finally, he heaps on the nonconformists all the contumelious nicknames, opprobrious language, and scandalous imputations, that ever the high-churchmen invented since the Reformation. Our church then, but not that uncharitable and unmannerly conventicle which published the Memorial, does glory in her moderation, whilst those others declaim against her as indifferent or treacherous on this very score; and, as we shall see anon, they cannot endure the very sound of the word moderation. To speak of our church likewise as part of the civil constitution in her discipline, she is truly the mean, and for that reason ought to be a mediatrix between other churches; but the minute that she complies with the schemes of the high-church faction, she becomes a party, either by persecuting the dissenters, which is not the office of a reconciler, or, out of hatred to them, by making too near approaches to the papists. May she therefore ever preserve and merit this most Christian character of being moderate; and not forfeit such a claim in deeds, whilst she boasts of it in panegyrics of her own making! May she avoid as much as she professes to dislike the narrow temper, insolent stile, and irreligious conduct of the conspirators, which render 'em odious to all serious persons! May she daily improve in all Christian graces, making continual advances in reformation! And may she for all ages be an ornament and defence to the protestant cause, as well as be reckoned a particular favour and happiness from Heaven to this nation!

We shall now proceed with the history of the pretended churchmen to this present time. Instead of composing differences at the Restoration (notwithstanding the dreadful shipwreck they had so lately escaped) they destroyed all projects of an union, their design being, as some of 'em plainly professed it, to keep the dissenters out of the church, and not to bring them into her communion. It was their usual cant, that nobody knew what alterations they demanded, and therefore 'twas uncertain where they would stop. Whereas the dissenters, to do 'em justice, had offered in writing several schemes, all of 'em for peace sake more moderate one than another, which are since printed, and yet these pretended church-men continue the same cant to this very hour. The court, having a game of their own to play, fell in with the resentments of the clergy. Hundreds or the dissenting ministers, many of whom would have been of excellent service to the church, were turned out of their livings in one day. The moderate and true churchmen could neither help nor prevent these things, the other party having the countenance of the government, and so not only appropriating to themselves the name of the church, but calling in question the loyalty as well as the orthodoxy of all that would not mount to their own pitch of violence, which they sanctified, as is usual in such cases,

with the holy pretence of zeal. The several penal laws which were made against the dissenters, were executed with great rage and rigour, and the statutes formerly passed against the papists (though seldom extended to them) were turned against our protestant brethren with the utmost severity. It was a strange kind of edification to hear clergymen quoting those laws instead of the gospel, for urging conformity; witness the numerous libels they daily published, and the sermons which they preached before all persons in authority, especially at assizes, to animate the judges, which are as lasting instances of their moderation, as their books for passive obedience are indications of their affection to civil liberty. What impious, vile, and infamous things were laid to the dissenters charge, to make 'em odious to the people, and by all dishonest representations to render 'em the abhorrence of the world! They were accordingly used with the utmost contempt and scorn, loaded with opprobries and reproaches, left at the mercy of wicked informers, and more corrupt judges; laid in noisome gaols in company of felons, rogues, and scoundrels; dispossessed of their goods, many of them banished, and some of them starved to death in prison.

This is undeniable and recent in most men's memory. And what was the occasion, I don't mean the real and secret reason of the court to destroy the protestants by one another, but the reason that was openly pretended? The statesmen said it was because they would not conform to the church; and the churchmen said it was because they would not comply with the state. This is the stale pretence of the clergy in all countries, after they have solicited the government to make penal laws against those they call hereticks or schismaticks, and prompted the magistrates to a vigorous execution, then they lay all the odium on the civil power, for whom they have no excuse to alledge, but that such men suffered not for religion, but for disobedience to the laws. But, O reverend guides and fathers! what precept or example do you find in the gospel of our Lord, to make the doctrine or discipline of religion the subject of human laws and punishments? The terms of communion you imposed on the dissenters were all of 'em in your own judgment indifferent, and many of 'em unnecessary; while the dissenters believed several of 'em to be uncertain, most of 'em false, and none to be forced on scrupulous consciences. They were not permitted to declare their sense of the subscriptions required, or to make any explications of the oaths they were to take, though willing on such conditions to conform; whereby it still appears there was a fixed resolution not to receive 'em, for this agreed not with the designed monopoly. If they refused conformity, they were reported to do so, because inconsistent with their principles and purposes of rebellion; but if they submitted, then 'twas to get preferments in church and state, that they might be the more capable to destroy both. This was the language of that time, as it is of many at present. In this manner therefore they shut the church-doors against them, and then excommunicated 'em for not coming in. King Charles indeed took upon him once to grant them liberty by dispensing with the penal laws; though some wise men of that time suspected it was not out of tenderness of conscience, or kindness to them, but that he might dispense with all the other laws of England according to this example. His brother King James made the like use of his prerogative, that this liberty might also be extended to those of his own religion. And though some excuses might be made in favour of human nature under the miserable circumstances of the dissenters, yet (if they understood our constitution) they were certainly to blame, not who used this liberty, which was their natural right, but who addressed for that indulgence, though very few in comparison of the rest. But this ought not to be made an objection to 'em by those, whose abhorrences against parliaments are as much upon record to posterity, as the memorialist will have these addresses for liberty of conscience to remain; and 'tis no uneasy thing to guess which of 'em posterity will be most inclined to pardon.

It would be superfluous to relate how the priests of the high-church preached pas-

sive obedience to our popish princes, and promoted their arbitrary power over the protestant laity, till they perceived King James was bringing papists into their colleges, bishopricks, and benefices, and that though he had made 'em his scaffolds, they were not the hands with which he meant to work. Then, and not till then, not for God's sake nor the people's, but for their own preservation and interest, the nature of these high-churchmen (to use the language of the Memorial) begun to rebel against their principles; and so they joined in their fright with the low-churchmen; nay, what is yet stranger, they leagued with the dissenters themselves to call over the Prince of Orange, who generously came to rescue our religion and laws from popery and arbitrary power. At this stupendous and memorable revolution the true state of the church of England did manifestly appear; and thousands were cured of their innocent prejudices against her, which they had unwarily imbibed from the conspirators assuming that name of a long time wholly to themselves. The bulk of the episcopal laity, who never consented to the hardships we have mentioned (though they could not hinder them, nor believe they would be carried so far) did now most chearfully concur to remove them. They shewed their detestation of the high-church measures, and their contempt for passive obedience more (if it were possible) than the very dissenters, and were as forward to grant, as these to desire a legal toleration; which is a sufficient justification of the church of England (as such) that she never was nor ever will be for persecution.

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It must be confessed, that as more pains were taken by the former courts to pervert the clergy, in order the better to seduce the laity, so in proportion many more of the clergy than of the laity were at this time in the high-church interest. And 'tis observable, that the Jacobites are still most numerous where the clergy are most powerful, as in your cathedral towns and the universities. This is likewise the reason, why, in the convocation summoned immediately after the Revolution to heal our unhappy breaches, there was not found that readiness and compliance to cementing peaceable and moderate resolutions, as appeared in the parliament; and therefore the toleration was far from being purely the result and indulgence of the church, meaning thereby the clergy, who now would not consent to the least alteration, notwithstanding their late repeated promises to the dissenters. On the contrary, the high-churchmen seemed every where to repent, that once in their lives they had been in the right. They opposed King William's coming to the crown, and consequently Queen Anne. But, when they could not prevent his election, they were industrious to furnish him with a false title, as if he had been only a king *de facto*, or by force and usurpation; but not *de jure*, or by right and law. They were engaged in continual plots against him all his life, and never preached passive obedience to him no more than they do to her present majesty, though professed members of the church of England, and zealous defenders of the true faith. King William (most ingratelously accused of jealousy, coldness, or indifference in that point, by the memorialist) did more than all his predecessors together for the church of England, not only in exposing his person to deliver her out of the pope's expanded jaws, and so perpetually securing to her all her privileges and emoluments, but also in filling the places of those who were deprived (for adhering to King James) with the very persons who had appeared during his reign with the greatest magnanimity, learning, and applause, in defence of the church against popery. He likewise gave the royal assent to laws excluding for the future all popish kings and queens from the throne, that the church may never hereafter fall into the like danger with that she then escaped: And afterwards, in the new limitations of the crown, he provided that the protestant successor should be a member of the church established by law, which is the utmost that could be reasonably wished or desired. I mention these but as the principal of very many other laws that passed in his reign, whereby the church of England (both as it means all the protestants of this kingdom, and par-

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ticularly as it signifies the national establishment of worship and discipline) was left by him in a most safe and flourishing condition, as it still continues under our most gracious and excellent queen, bred from her infancy of the episcopal persuasion, though abounding with love and charity to all other good Christians.

But the high-church-men, who can no longer monopolize the dignities and benefices to themselves, nor domineer over their fellows by the prince's favour, at the expence of the people's liberty, are enraged to be brought down to an equal level with others, and would fain persuade us that the church is in imminent danger, though they are wonderfully put to it to shew us what or from whence we are to fear. Popery they don't pretend, of which on the contrary they endeavour to lessen our apprehensions, because they are themselves in the interest of a popish pretender to the crown, and therefore closely linked in amity, counsels, and purposes with the papists that adhere to him. And 'tis matter of fact, that partly from this odd conjunction, and partly from their implacable resentment, very many of 'em have apostatized to popery since the Revolution. What is our danger then? First, They fondly imagine, that after sixteen years experience the nation is still blinded with those prejudices which the high-church-men had formerly created against the dissenters: Next, they do as vainly suppose, that all who acknowledge the dissenters as brethren will be held for favourers of their cause and way: And, lastly, from these premises, which they expect will be taken for granted, they conclude that the dissenters are a very formidable party, likely to overthrow the national religion, and so to set up for themselves. But of this argument we'll evince the fallacy and impossibility, when we come to consider the present state of the dissenters.

Nevertheless to gain credit to such absurd suppositions, the tongues and pens of the high-church-men are let loose against the moderate clergy every where, representing 'em all as presbyterians. Their rage is sharpened in a special manner against the bishops, whom they revile, bespatter, and abuse in a strain neither becoming priests nor gentlemen; though many of these worthy fathers be the individual persons, whose zeal and fortitude they extolled in King James's reign, and with whose learned labours they do at this time reproach the dissenters. This, among others, is done by the memorialist; boasting, "that the church of England alone defended the protestant religion against popery;" and yet says, "that the corruption is so far spread, that lawn-sleeves are no sure sign of a church-man." But in King Charles the First and Second's days, when the severities used against the dissenters (as oppression will make wise men mad) had provoked 'em to censure the immoral actions of certain bishops, though the facts were not denied, yet the very character of those bishops was urged as a sufficient reason not to have their failings exposed: But these were favourite bishops, men famous in their generation for preaching will and pleasure to the prince, non-resistance and passive obedience to the people, and for pressing inexorable executions against the dissenters. For these virtues the present want of 'em is regretted by such as are animated with the same spirit; and the memorialist sadly complains, "that the church has lost seventeen of those heroick prelates that gave life and vigour to those noble sentiments; and that most of their places are filled with men of another stamp, who, not being warmed themselves with the same zeal for it, by preaching indifference to the interests of the church under the specious deceitful name of moderation, have very much damped, and in a manner extinguished that noble spirit, which their predecessors had infused into the inferior clergy." The best news that ever England heard, and the greatest service the bishops ever did the church! I shall not particularly examine into the characters of these seventeen heroes; but I hope it's no crime to say, that, to the great loss of the church, one of 'em died in Ireland with King James, when he was fighting there against the protestants, and had filled all their churches with popish ecclesiasticks; and that four of 'em, who joined first with the Prince of Orange

against King James at the Revolution, deserted him in a month's time to King James again, as they and others of these same heroes have deserted the communion of the church of England ever since. They are lost therefore to the church to all intents and purposes; and we heartily wish for the sake both of church and government, that the furious spirit of bigotry and persecution, with the arbitrary and slavish sentiments which they have infused into some of the inferior clergy, were not only (as they now are) much damped, and in a manner extinguished, by the free principles and moderation of the present bishops, but likewise that they were entirely lost with their deceased and abdicated authors, infusers, and abettors.

Thus from its first original, and through all the gradations of it, we have given the brief history of the high-church, that, in the first place, by shewing what the memorialist and his party mean by the church, the dissenters might be undeceived from their prejudices, and not rashly impute to the church of England the principles or practices of a headstrong, ambitious, or popish faction, which she never approved: And, secondly, That no true church-man might be imposed on by words or names, but judge of all persons by their actions, blessing God incessantly for the queen, who is so true a nursing mother to the church; for bishops so learned, charitable, and religious; and for living under so wise and good a government, where righteousness and peace kiss each other.

Of the Dissenters.

We have already discoursed of the rise of the dissenters, and their various fortune till the late Revolution; since which time they are tolerated by law, and enjoy at present the benefit of her majesty's glorious reign in common with her other loyal subjects.

Though we be no dissenters ourselves, yet the principles of the church of England have taught us to be just to them as well as to all the world: And though we do not join in their dissent, yet as we would not use force to reduce them to conformity, so we would lay nothing to their charge, but what in justice they deserve. Wherefore we must needs say, that they speak improperly, who represent 'em as leaving our church, and who are for treating 'em on that account as schismatics. There were as early and illustrious reformers in this kingdom of their opinions as any whatsoever, and even several bishops professed themselves of their mind in matters of discipline and worship; which are the only things wherein we differ. They were fellow-sufferers with us in the Marian persecution: Hooper was not the only person of these sentiments, who offered his body to the flames in defence of the protestant religion: And the exiles from the popish fury carried their divisions about those points along with them, and kept 'em still on foot in the places of their refuge. We commend not the rigidness of the one side or the other, though we cannot blame men for modestly testifying their disagreement where they are not fully satisfied in their judgments. They may call it conformity, but it would be hypocrisy to do otherwise.

On the ceasing of the persecution, by Queen Elizabeth's mounting the throne, they all returned to England, but more positively resolved in their divisions; those we now call the dissenters being encouraged and confirmed by the example of foreign churches. Exceptions indeed they have always made to the liturgy, either as imperfect, though excellent for the time; or as symbolizing too much with the mass, which was counted needless after the general conversion of the nation; or as actually containing certain errors which they could not subscribe, and much less read in the church. Catalogues of these exceptions they have often delivered the Lincoln ministers and others before the civil wars, and after the restoration at the Savoy conference. They have likewise given the liturgy compleat, as they would have it reformed, which is still extant in

print. And here we have two things to observe; First, That the dissenters are misrepresented, when accused of never offering the terms on which they would unite: And, secondly, That they never declared peremptorily against the use of all liturgies, no more than the other reformed churches which have their set forms, without excluding the gifts of their ministers in extempore prayer, which is also practised by the ministers of the church of England before their sermons. I would therefore charitably believe, it is in expectation of a more favourable disposition for a union, that they have hitherto neither translated the liturgy of the other reformed churches, nor ever established any of their own. But the innovations in Archbishop Laud's time drove 'em too much to the other extreme, and made 'em guilty of many unseemly and sometimes uncharitable expressions against our common prayers: With which nevertheless the whole body of them is no more to be charged, than the church of England with all the exorbitancies of the high-church. No man pretends but the dissenters had their tantivies of several sorts: Nevertheless, where men are inclined to peace, such things are mutually forgot; and if they have but natural equity, the faults of a few will never be imputed to all.

But in the Memorial, the dissenters are made to aim at subverting the church and the monarchy, which is the principal subject of the book. Could this charge be proved, I should not be the man to make their apology. They enjoy already as full, as free, and as legal a liberty as any others, to worship God according to the dictates of their own consciences, in which respect they have nothing more to desire, and they neither can nor do complain. But throughout the whole Memorial 'tis inculcated, that they design to overthrow the hierarchy, and to make themselves the national church. Whoever gives himself leisure to consider never so little, will perceive how wild and groundless this supposition must needs be, and how dissonant from the true state of things. For if the dissenters had the power, 'tis impossible they could altogether and at once become the national church, since they consist of various sects and constitutions, as different from one another, as every one of 'em is from the church of England, which is a thing indisputable and self-evident, owned even by the memorialist.

But then if they had the power, I deny they can have the will to be the national church. The quakers, with whom the memorialist is very angry, are against all stated clergymen, against any spiritual jurisdiction, church revenues, or maintenance of ministers from the publick; and therefore they ought not to be reckoned among the candidates for a national church, which without these things cannot subsist as such, and for the sake of which, the quakers alledge that all the bustle is made. They allow every individual Christian (not excepting their women) to pray and preach in their meetings according to every one's measure of light or knowledge, and as they are disposed by the Spirit of God to propagate his gospel of truth for the benefit of their fellow-creatures. This is the account they give of themselves agreeable to their practice; and therefore are not concerned by interest or inclination to assist one party more than another in their contentions about this matter. But finding their safety in civil liberty (from which toleration in religion is inseparable) they join in elections for parliament men, with the party likeliest to grant or to preserve it, in which regard they are indeed the exactest Trimmers in the nation. Their conduct in the last election is one of the fruits of the bill against occasional conformity, and we know it to be the cause of the high-church-men's displeasure against them now; but they should remember the time (for 'tis within memory) when they voted, and that judiciously on their side, which was one of the two times I mentioned that the high-church-men were against the prerogative, and would pass for professed converts to liberty both civil and religious. The memorialist was therefore in a passion, when he rashly said, "that they never extend their alliance, commerce, or charity, beyond their own sect."

The independants are as little as the quakers for a national church, allowing only

of congregations voluntarily gathered and called out of the world, which societies are independent of all dioceses or presbyteries, not admitting synods with any manner of church power, but only for mutual help and advice. The memorialist positively affirms, that "every individual pastor among them is bishop of his congregation, absolute, arbitrary, and uncontrollable in spirituals," which will find credit only with those who examine the truth as little, or dissemble it as much, as himself: For an independent minister is so far from having any point of episcopal jurisdiction, that he can do nothing without the joint consent of the church-members, among which the women are permitted in some cases to give their suffrage. He farther affirms, "that each minister is subject and accountable in matters of religion to none but God," which is no privilege more peculiar to him than to every one of his congregation, and what every protestant professes as the first principle of the Reformation. But meaning it, as he does, of the minister's authority in ordering and directing matters of religion or discipline, he has no power at all, so far is he from being arbitrary and absolute. The people may withdraw from him when they have just exceptions to his life or doctrine. Nor does ordination alone constitute a minister among them without the election of his hearers, which is another thing inconsistent with a national church; and I said before, that they reject the notion of a catholic church, as a society vested with authority, and to which all particular churches are in subordination and subjection. Thus the jest of the memorialist is spoilt, "That the independants have a little pope in every congregation, and that every individual preacher among them is a whole petty Antichrist himself." This indeed is language befitting such as only think of dragooning men to their way without satisfying their reasons; but not less becoming those who understand as little of the controversies they manage, or the men they condemn, as the Spaniards or the Turks. This appears further in the like sarcasm upon the presbyterians, who, he says, "have one pope in each nation, which is the synod; and that the several ministers of which it is composed, are but so many limbs of Antichrist." The anabaptists agree in all the forementioned things with the independants, permitting every man that has gifts enabling him for it, to teach in the congregation; and truly (as a person of singular worth, knowledge, and moderation, said once in a merry humour) the anabaptist is but an independant under water.

The presbyterians therefore are the only rivals the church of England has to fear. They place authority, we own, in their presbyteries over the parochial ministers; but none ought to arraign 'em for that, who allow as much to the bishop in his diocese, for this is only a dispute about the proper hands wherein to settle the power. What would the memorialist infer from it, if we granted that the "Presbyterians lodge the jurisdiction of archbishops and bishops in their synods and classes," though it be not in all things the same power? Besides that the same power differently lodged makes a great alteration in government, as the supreme power in a single person is one thing, and quite another thing in the Three Estates. Now, we readily yield him what nobody ever denied, that the presbyterians are capable of being a national church, and that they are actually so in many places of Europe. But he unfairly represents them, when he says, "their clergy pretend to be infallible, and exempt from lay jurisdiction; and that the sentencing and correction of sinners without limitation of kind, either of sin or punishment, belongs to their ministers." I defy any man to produce an instance, wherein the jesuits did ever more audaciously calumniate. But because he was aware that nothing of this is known in England, he affirms, that "it is still practised in Scotland, where upon whatever account the presbytery is pleased to excommunicate any one, the custom of horning still remains, that is, of seizing all his estate and effects at the sound of a horn; which is the kirk's warrant for execution; and against this sentence (however unjust) the government dare not give any relief." If it were really thus in Scotland, what's that to the churches where it is not so; as in Holland; for exam-

ple? For bishops, no more than presbyters, have not equal power every where, these and the like temporal privileges being essentially inherent to neither; but as the civil government is pleased to grant or to take them away in such degrees or proportions as they think most convenient. But every syllable of what he says is false in fact; and indeed there was never known a more disingenuous writer. In the late reign the civil stinging or punishment of excommunication was abolished in that kingdom by act of parliament; which is one of the important services King William rendered the protestant religion there: And certainly 'tis no small service to religion to take away any power from a church, which is liable to be partially or vindictively exercised; and perhaps on very slight or trivial occasions; besides that this was one of the worst reliques of popery, not grounded on scripture, nor to be tolerated by common prudence. 'Tis most unquestionably true, that by the handle of excommunication insufferable abuses were formerly committed in Scotland, whereof we hear nothing since the Revolution; though we need not go far for examples, when in our own church (a thing which all the sound members of it passionately long to see reformed) men are daily made over to the devil with great solemnity for a tithe-pig, or Easter-eggs, or three tiles of a church, whereby their credit is ruined, their goods seized, and their persons often imprisoned. Besides the blemish this brings on our excellent church, it takes away in great part the true ends and awe of the scripture excommunication; nor should this power of inflicting civil punishments be committed to any church, being a blame-worthy article wherever found, whether among the episcopals, presbyterians, or papists, from the last of which both the others have borrowed it. But still it is objected with an ill grace by us to the presbyterians, till we come to a temper first to reform it at home. As for horning, 'tis not the warrant of the kirk, but of the state, on occasions of treasons or outlawry. But in such of his mistakes we are no further concerned, than to shew with what an air of assurance he utters the grossest falsehoods.

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&c.

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Now the laborious research of the memorialist, to discover which sect of the dissenters bids fairest for the national church, on the supposed downfall of our hierarchy, appearing impertinent, and acknowledging it possible for the presbyterians alone to become the national church in that case, yet 'tis most certain that their ministers, in the first place, would be no gainers by it, they being already as well, if not better, (and the memorialist owns more equally) provided for than the inferior clergy of the national church. The rich dignities would not fall to the share of their clergy, with whose parity they are incompatible; but, as it happened here as well as in other places before, and lately in Scotland, they would all devolve to the state. Neither would their people get any more by it, than to be exempted from their voluntary contributions, which among so many are insensible, and no such burden as that, to ease their purses of it, they would madly hazard their civil and religious liberty. None of the other sects would assist the presbyterians in such an enterprize, it being indifferent to them which is the national church, provided they enjoy a free toleration of their own way: For as to the degrees of severity they felt in their turns under each, they are not more natural to one than to the other, all national churches being ready enough at that sport, where the clergy are not over-ruled and kept on their good behaviour, as they are in every wise government by the civil magistrates.

But it will be objected, That men have often acted by passion and ambition against their interest, and that the other sects did actually join with the presbyterians before. We grant the presbyterians may act against their interest as well as other men; but we deny, that, if they were infatuated enough to design it, they can ever be able to contend with the national church, in respect of which they are an inconsiderable number, and indeed deserving little regard when the other sects and the church are both unanimous against them. But the other sects did combine with them before. They did so; but it was not to advance 'em to the pre-eminence of a national church, but to pull

down another church power that oppressed 'em all with a heavy yoke and an intolerable hand. The gentlemen who resisted the encroachments made on their native and legal liberty, invited to their assistance the nonconformists, who were sufferers for their religion under the same power; and as soon as the order of bishops was abolished, the presbyterians did of course, and as a reward of their services, come without competitors to be the national church. Yet this exchange was not made with the consent or good liking of the other sects. For in the beginning of that unhappy war, nothing was generally proposed but reducing the prerogative within its just bounds, and timely restraining the innovations of the clergy, without people's laying any schemes before hand of what was to be done in case they succeeded, because they really designed no alteration in the civil government. Therefore, after they had obtained their principal aim, all sorts of men found themselves deceived in their particular expectations; and, as it seldom fails to happen in such confusions, some were insensibly, and most were impetuously, carried beyond their first intentions with the torrent. To exemplify this in detail, such as intended no more than the securing our constitution, which they reasonably thought be in some danger from certain arbitrary proceedings, did above all others abhor the invasion of the military power, and the barbarous murder of the king. The independants, the anabaptists, the new-sprung sect of the quakers, and others, were not less irritated to find the presbyterians rigidly exercise the same power the bishops had done before, which they promised themselves would be abolished here for the future in all churches, loudly protesting that they chiefly fought for this purpose, and that the liberty of the nation was not complete without it. The republicans were no less disappointed in their models of government by Cromwell's treacherous usurpation. And all of 'em together successfully joined to undermine the presbyterians, the army for their protesting against the king's death, the sectaries for their refusing liberty of conscience, and the episcopals (to name no others) that they might return once more to be the national church. For in conjectures of this kind, there's no necessity of agents or treaties between the several parties (as there was then no settled intercourse or correspondence between so many hostile and repugnant interests) because all are united by their present suffering, or impending danger; and, however disagreeing in their other actions, yet, by a sort of mechanism in politicks, they naturally tend to the same center of opposition against their common adversary. This observation was eminently verified by the universal resistance made to the late bill against occasional conformity; and prudent governors will accordingly square their measures in all such occurrences.

The other sects, therefore, and the presbyterians, did once join together; but it depends upon us that they never do so again. Let not our clergy, instead of looking after the souls of their flocks, busy themselves in politicks; let them not be the instruments of the prince to enslave the people; and let them neither be rigorous themselves, nor excite others to be so, against such as dissent from them in matters of religion. The only possible way for the presbyterians to become the national church, is by the laity's being ever forced again to call for their help, (and they'll never do it unless they be forced) or by obliging the other sects to confederate with them for their mutual defence. But we leave every one to judge, whether the high-church methods be the most likely to prevent such a fatal catastrophe; especially if it be considered (for I think it worth repeating) that the very quakers, who are not immediately touched by such a law, yet strenuously opposed the bill against occasional conformity, as a degree of infraction upon our common liberty, and which they reasonably expected might afterwards be extended to other matters. For any thing else in the world, not relished by the faction of the high church, might as well be called spiritual juggling, were they left judges of men's sincerity or hypocrisy: And all acts of worship performed by dissenters, though agreeable to our confession of faith or liturgy, might be reputed prostitu-

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ting those consciences of which they pretended to be so tender, and profaning the most solemn and holy mysteries of the Christian religion, to the base sinistrous ends of eluding the law.

It would therefore be a lamentable prospect (were we not secure in the temper of our government, and the wisdom of our ministers) to see how certain persons, instead of bending their care to preserve the present tranquillity, labour with all their might and industry to bring us again to confusion, using the most sophistical and nefarious arts imaginable to compass their wicked designs. They talk of dissenters always in a lump, to render 'em the more formidable to ignorant bigots, as if they had all the same concerted views, or were equally chargeable with the same imputations. Three of their accusations I shall distinctly examine, as injurious to the dissenters, tending to disturb the peace of the church and government, and reflecting on her majesty's person.

First, They are all charged with being commonwealths-men, or for popular government in opposition to our established constitution of King, Lords, and Commons. This invention might pass on those princes who held all for republicans, that disliked their designs of arbitrary and despotick power. But now that the liberty of the ancient English government is secured to posterity, by the confirmation of all former laws in its favour, by the Bill of Rights, the limitations on the next successor, and by divers other excellent regulations, there is not a dissenter in the nation a republican in any other sense, than as being ready to expose his life and fortune for this admirable form, whereof they daily taste the incomparable blessings which have cured the few democratics we had (and those mostly church-men) from the impressions they received by King Charles and King James's administration. They were all most cordial for King William; they are as truly loyal and dutiful to Queen Anne; and not one of 'em but are such republicans, as to be zealous for the house of Hanover, which is like (they say) to furnish the crown with numerous successors. But considering the high-church-men had so lately endeavoured to turn the monarchy into an oligarchy, or rather from the consequences of it into an anarchy, by the regency they proposed at the Revolution, they ought to be the more reserved in aspersing some with the chimera of a commonwealth, as they would fright others with the ridiculous sham of the church.

Page 3.

The dissenters are, secondly, accused of being against a toleration to one another, or to others, because some of 'em were for persecution in the late times. 'Tis the most absurd and unjust thing conceivable, and sufficiently refuted by daily experience, to make parties, opinions, virtues or vices, so absolutely hereditary to families or nations, that they can never be cured of 'em. Had this position been true, how from heathens could we have become Christians, or from papists turn protestants? All the posterity of the late sectaries have no more the same designs with their fathers, than all the descendants of the royalists: For not a few of both sides have very signally distinguished themselves in contrary notions and parties to their progenitors. But the memorialist tells us, not only that "the sons of those men yet remain, and inherit many of 'em the principles of their fathers, but that it would therefore be no very uncharitable supposition, without any other argument, to imagine 'em heirs of their designs likewise." It were certainly most uncharitable to take that for granted which is possible to be otherwise; but if we used no farther argument in the matter, that is, if we made no use of our reason, we could imagine this as easy as any thing else, and all things in the world alike. The independants and anabaptists were professed advocates for toleration from the beginning; and they still continue of the same opinion as well as the quakers. The presbyterians were not always so, but have sometimes used compulsion in matters purely religious, and published diverse books to justify their proceedings. Yet experience, and a more sedate consideration of things, have furnished 'em with clearer information and better dispositions. As many ancient and modern churches have fre-

quently changed their sentiments about certain articles, so the presbyterians are all now for liberty of conscience to all men in points of mere religion or opinion; and they have expressly declared their minds to this purpose in several of their late books, particularly in the writings of Mr Calamy, which they generally approve. But, as an evidence of their sincerity in fact, I'll give an instance worthy of publick notice. Certain quakers came not long since to some of the most eminent ministers of the dissenters, complaining that their friends were hardly used in New-England, and even some of 'em put to death for their persuasion, though under the threadbare pretence of disobeying the laws. Wherefore they desired those ministers, that, if they allowed of the same liberty to others they enjoyed here from the government, they would write their thoughts of this affair to their brethren in New-England, who, they doubted not, would respect their judgment. Whereupon those ministers, after consulting the rest of their body, and receiving their consent, dispatched two letters to New-England, one from the independants, and another from the presbyterians, to the perfect satisfaction of the quakers.

The dissenters are, thirdly, accused of disaffection to the queen's person. Of all calumnies this surely is the most hardy, as well as the most groundless. 'Tis now the fourth year of her majesty's reign (which God long continue) and in this whole time there has not been one dissenter heard to murmur or repine, so far are they from being found guilty of any conspiracy or treason; whereas 'tis notoriously known, that many who highly value themselves on being church-men, do obstinately disown her title, and very undutifully reflect both upon her person and government. Never was prince so revered and beloved almost to adoration by her subjects, and by all the protestant sects without exception, as is Queen Anne, for her wisdom, justice, piety, moderation, clemency, and other royal virtues without number. She's truly head and queen of all her people, which has seated her throne so firm, that she may rest secure and easy at all the rude clamours of the conspirators (and not even be provoked to let the laws loose against them) were they twenty times more numerous; considering she has the hearts and hands of all the low-church-men at her service, that is, of almost the whole laity and clergy of the church of England, with the powerful addition of all the dissenters in the kingdom. In respect of these the papists and high-church-men are but a handful; and are, therefore, in their present seditious invectives and senseless menaces, rather the objects of all men's laughter, scorn, and contempt, than of her majesty's notice or indignation.

Notwithstanding the evident truth of this, yet one part of the grand conspiracy, and on which did hang the most promising hopes of the popish Pretender, was a desperate effort the high-church-men made to impose on the queen at the beginning of her auspicious reign, before (as they imagined) she could have time or opportunity to learn the true state of her subjects; and so to prepossess her royal breast with an opinion that the whigs and dissenters were sworn enemies to her person, that they had always endeavoured to lessen her reputation with the people, and entered into close measures with the late king to exclude her from the crown. These things, we may remember, were industriously spread and reported every where with the utmost assurance: And had her majesty been more credulous, or worse informed, she must of necessity have caused inexpressible grief to the greatest number of her faithful subjects, to be so unhappily misunderstood by her; and perhaps she had through a fatal mistake thrown herself into the arms of insidious men, who preferred the title of another to hers, and were prepared to deliver her person, the church, and all of us, into the hands of their foreign protector and confederate.

The queen, to the unspeakable felicity of these nations, knew better things; and every day of her life since has afforded her fresh proofs that she was not deceived. But for the satisfaction of the people, a committee of the lords, who had examined the

king's papers, published their report by order of the house ; and Dr Drake's book was, by the same house, ordered to be burnt as false, malicious, villainous, and scandalous; tending to create divisions and jealousies between her majesty and her people, for countenancing and promoting that heinous aspersion, without being able to produce any voucher or author for the same. But the memorialist, as if he were ignorant that any thing of this had happened, harps still on the same string, and strives in vain to render the dissenters suspected, in spite of the queen's and the nation's experience. "They," says he, "who not a month before (the king's death) breathed nothing but defiance, and insulted the church, and treated the princess with the most scandalous indignities and rudest calumnies, were in an instant grown the most dutiful subjects, the most affectionate friends, and the most peaceable, meek, and Christian-spirited people in the universe." This is the ironical turn he gives the matter, because the queen did not find 'em what they were represented by the high-church. And in another place he insinuates a distrust of their peaceable demeanor, personal respect, and cheerful submission to her majesty, by asking whether "we are sure, that they who ill treated and bespattered the princess, and hoped that she never would reign, are grown sincerely fond of the queen, and heartily glad that she does reign?" By no means; he'll have their loyalty and moderation only a copy of their countenance, from the terrifying apprehension of their guilt. "Was it natural," says he, "No," he answers himself! "But they had just before" (though Dr Drake could not tell how, or by whom, or where, or when) "injured and affronted the princess and church of England, in so insolent and outrageous a manner, upon presumption that durable schemes were upon the anvil in their favour, that their own consciences upon the vanishing of them, prompted them to seek pardon and peace, from those they had so abused, by an extraordinary submission." One would think, by reading such passages, that there had been tumults against the church, endeavours by a bill of exclusion, and infamous libels at least dispersed against the princess, when all was orderly and quiet, without a word or syllable of this matter. The project they reported to be found among the king's papers is broadly hinted by the durable schemes upon the anvil, which we must needs call, though we love not such language, a villainous calumny in the forgers of the story, and incorrigible impudence in the memorialist. Yet the fancy of it tickles him; for in the same page he says, that "the dissenters were mortified, humbled, and disappointed at the late king's death, and that the whigs would have been glad to have taken a general indemnity, with an exclusion from all trust and office." Whereas King William's death (for which the dissenters, no doubt, were sorry) was no otherwise a disappointment to them than as it was to all Europe, having had no designs of their own to carry on by him, separate from the common cause of liberty and the protestant religion.

Neither were the whigs conscious to themselves of any crimes why they should need or desire an indemnity from that faction he calls the church, who thought to manage all without controul at that time, and who were never known to be so liberal of their pardons when they had 'em to give. They were those high-church-men, on the contrary, who wanted an indemnity, and had it at the Revolution, having justly deserved to be for ever excluded from all trust and office, which they had forfeited by their base and traitorous surrender of charters to the foregoing kings; whilst the whigs as bravely and loyally opposed that invasion of our rights, for which they were fined, imprisoned, banished, hanged, and libelled for rebels by those pretended churchmen all over the nation. But are the whigs no better known yet to the memorialist, who so often goes out of his way to dive into the inmost folds of their hearts? Whereas, when on the supposition of those forgeries which he imprudently revives, a certain dismal gentleman, of such deep politicks that his wisdom never appears till he quits business, and of such unparalleled eloquence that his speeches are never understood for the musical chiming of his words; I say, when this secretary of the high-church had gravely proposed such

an indemnity to certain whigs, they rejected his offer with the scorn and indignation that became their innocence, letting him understand (in very plain language) who it was that stood in greater need of a pardon; and that they were resolved with the last drop of their blood to stand by the queen's person, to support the freedom of the government, and to maintain the protestant succession against all attempts and adversaries whatsoever, wherein they have been hitherto, and ever will remain, as good as their words.

We held ourselves obliged in duty as good subjects, who desire the peace and welfare of our country, and that our fellow citizens (who are hearty for the same cause) may not fight against one another in the dark, to defend the dissenters against the virulent and manifold misrepresentations of the memorialist. But in particular we sincerely aimed at three things: That the church may not be disturbed by imaginary fears of the dissenters forming any designs against her national establishment; that the dissenters may be convinced, 'tis neither their interest nor in their power to destroy the church; and that every body may perceive what a perfect harmony there is between all the subjects of this kingdom to perpetuate the toleration of religions, except a certain faction (more considerable for their noise than for their number) who sedulously endeavour to set the queen against all the rest, that they may the easier set up a king of their own against her majesty.

Of the Toleration.

The right notion of the church, and the true state of the dissenters, being thus fairly settled, 'tis time we should begin the vindication of the queen and her ministers, who were invidiously traduced as favouring the dissenters against the church of England. But because we begun so high with the other heads of this discourse, as to leave nothing supposed or to be understood that was necessary for the clearing of what followed, so the toleration of religions (which extends much further than a bare permission of publick worship) being the avowed principle of the queen and her ministers, and one of the principal maxims by which they govern, to insist a little on that subject, before we descend to particulars, will neither be unnecessary nor unprofitable. According to the memorialist, there "is no high-church-man of 'em all who would break in upon the toleration, if it were in their power, provided that the ambition of the dissenters would stop there." But who is to be judge, whether or no they precisely keep to the toleration? When writing or preaching in defence of their separation may, by the stronger party, be deemed exceeding what they are allowed; as the persecution in France did first begin under pretence that by the several edicts the protestants might publickly perform their worship, but not defend their religion by opposing the Roman catholick. Besides that, we have reason still to believe, that the high-churchmen are no real friends to the toleration, since the promise of securing it in the first bill against occasional conformity was wholly forgot in the last. But be this as it will, 'tis impossible to discourse intelligibly and distinctly of comprehension, occasional conformity, the sacramental test, and the consistency or inconsistency of many religions with civil government (which come all under that head) without previously stating the nature and extent of toleration.

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First, then, we must consider that no argument can be drawn for compulsion in matters of religion, from the power of the magistrate to punish offenders in the state, for the business of the magistrate being to take care of the publick quiet, and to preserve every subject from violence and fraud, he takes notice only of actions which confessedly tend to the disturbance or subversion of the society, and to the injuring of any man in his person or possessions; but he has nothing to do with what either does no harm in these respects to any body, or that wholly consists in speculation and opinion:

He therefore restrains outward transgressions and immoral actions, let the motives of him that commits them be what they will. But he can take no cognizance of those inward dispositions which are wholly seated in the mind, nor can he certainly judge of the docility or invincible errors of others, whether they truly want light and satisfaction, or are whimsical, obstinate, and refractory. So that, with respect to the government, 'tis all the same to the magistrates, whether a man be sincere or a hypocrite in his opinions, since no other receives any damage, though perhaps he gets no good by them himself. Had the memorialist observed this distinction, he had not confounded persecution for opinions with punishments for crimes, as he does when he says, that

Page 17. "if diverse persons were not almost daily persecuted at certain places called Old Bailies, we should neither sleep, walk, nor ride in safety." And then applying this worthy principle to the dissenters, he adds, that "if taking away the benefit of hypocrisy be persecution, hanging for picking a pocket is undoubtedly martyrdom." But leaving him to please himself, for I'm persuaded he'll convince no other, with such strange sort of reasoning, we are all agreed, that as men have different capacities, apprehensions, and opportunities, so they cannot possibly but have different notions of things. This is no truer of men in free than in arbitrary dominions. But a great variety of opinions is a certain sign of a free government; and no wonder, since men are there permitted to live as men, making use of their reasoning faculties, and speaking what they think, as they think what they please.

It being granted then, that we cannot be of the same mind in all things, the only question is about openly professing our sentiments, and particularly about joining to this profession such external ceremonies as every sect or person does judge the most agreeable to God, or convenient among men. As for the mere articles of any man's creed, they hurt nobody besides; for though a man may spend his time in vain, who thinks he profits very much by praying an hour to a saint or an idol, how does such his belief injure any other? And if the rites he uses be as harmless to his neighbour, though in themselves absurd or ridiculous, why should any compel him if he will not be persuaded to quit them? As a man may kill his own calf, or eat his own loaf at home, (to use the instance of a celebrated author) so he may do in his closet or in his temple, without loss or danger to any man. But whenever such observances are with justice prohibited, 'tis not as they are the ceremonies of any religion, but as they are destructive of society; for which reason human sacrifices deserved to be abolished, but not as honour was intended thereby to the Deity. Otherwise, no man hurts another by his particular doctrines or worship. And therefore he ought not to be punished, because not guilty of a fault. The time or place, the habit or posture, and other necessary circumstances of worship, may be good and convenient after several manners; but to all men and in all seasons and countries they cannot possibly be the same. But as all societies agree on their particular rules, what imports it me how they order their affairs, if they leave me at liberty to do in mine as I please? Yet suppose my holding another opinion were to be restrained or punished, where shall we find a judge in such controversies, I do not say infallible, which is a jest, but who is of neither side, as the magistrate ought to be in point of property? Or where will the consequences of this practice stop? For such as are persecuted now will resent this usage when they are got uppermost, as it often happens in this changeable world; and the others cannot persuade them that they ought not to do as themselves did, because they (forsooth) are sound and orthodox, and these are schismatics, hereticks, or idolaters, unbelievers; for every man thinks himself in the right, and will or may use the like power when he's able. And therefore 'tis a wonder how such as are advocates for any sort of restraint among us (for they are grown ashamed of the word persecution) should pretend to blame the severities under the Roman emperors, or declaim against the Mahometans for propagating the Alcoran by the sword; when the Christians, in persecuting one another, and

sometimes forcing whole countries to their way (as Charles the Great did the Saxons, and the house of Austria the Bohemians) have often outdone the most barbarous nations, are a shame to humanity, and far more savage than lions, bears, or tygers.

Here some sect or party will say, we are not so cruel and bloody as those you mention, but very moderate in our restraints, laying only such easy mulcts and penalties as may dispose people to consider, or perhaps bring them to church to be in the way of instruction, and that they may hearken to the truth. Now all this is sophistry and illusion. 'There's no punishment so small but it justifies a greater. He that fines me a shilling every Sunday I am absent from the publick worship, may fine me two, or ten, or twenty, if he thinks this will make me comply. He that likewise deprives me of my liberty may deprive me of my life; and he does as much in effect who brings me to poverty or disgrace. Every one of these punishments is a real persecution, which is but a man suffering in any manner for his opinion. And 'tis plain that the least of these persecutions does naturally, if not inevitably, lead to the greatest; nor without good reason, since, if a small degree has any effect, a greater must have more. They impose on themselves and others, therefore, who pretend that an incapacity from places of honour, trust, or profit, is no persecution, nor inconsistent with the toleration of religions. But of this hereafter. As for compelling men to come into the way of instruction, this treatment, instead of disposing them to hearken and examine, does infallibly prejudice and embitter them, taking themselves to be mocked by those who profess a tenderness for them, and nevertheless use 'em as barbarously as if they were not reasonable creatures; especially when they reflect that the same kindness is pretended by such as revile, imprison, or banish, who deliver their bodies to the executioner here, and their souls to the devil hereafter. And indeed the testimonies or arguments which persecutors alledge in behalf of religion, though possibly true in themselves, yet lose all their weight with their hearers, who remark that they do not trust their cause to the evidence of such proofs, and therefore believe they commend it out of interest, as they support or propagate it by violence, which may as well be done for the false as the true religion.

Men, you'll say, should not think thus, but 'tis certain they will think thus. And in all political or legislative proceedings, we are not so much to mind what men ought to be, as what they are. Then, as for laying 'em under gentle fines to make 'em consider, it looks as if we thought none did consider but ourselves; or if we allow any others to do so, why do we hold those that do consider, and those that do not consider, alike culpable? If it be replied, that they have not considered sufficiently, though they protest to have sincerely used their utmost application, the meaning is plain, that we allow none to think sufficiently, but such who think as we do. Wherefore to say, that those who do not conform are weak or obstinate, is but to say, that they are weak or obstinate who do not conform.

Now, from all this it follows as clear as the sun, that the magistrate, taking care of the civil interests of the government, is to leave men to their own persuasion in matters of mere religion; and that admonitions and advice, persuasion, arguments, and examples, are the only efficacious spiritual arms, or just means of converting the erroneous. The question is not if men's opinions be true, or their ceremonies the best, but if they be hurtful or not; and they are still less to be forced when reckoned indifferent, because they may not be so to another, or, if they be indifferent to him, 'tis like he will not have them imposed on him as necessary. In these or the like cases 'twere better to let such disputes insensibly drop on all hands, than to create any disturbances about matters of little importance. So long as we are not hurt or injured, God is judge of the honour or dishonour done to him; and that law of ancient heathen Rome is to be wished were observed in modern Christian Rome: *Divos adeunto casté; si quis secus fecerit, Deus ipse vindex esto*: Let the Gods be purely worshipped; but if any is guilty of the

contrary, let God himself be the avenger. But these pagans thought God to be potent enough to vindicate profane addresses, or clement enough to forgive devout ignorance; but we Christians must come to the help of the Lord against the mighty, and be readier to execute his justice than to exercise his mercy.

But persecution is in itself so horrid and abominable, so prejudicial to truth, and so destructive to society, that nothing more demonstrates the pravity of human nature, than to find it ever had any advocates or abettors in the world. It obstructs all progress in knowledge or advancement of learning and sciences, which is as true of divinity as of politicks or philosophy. And on the other hand, it begets ignorance, prejudice, narrowness of soul, a slavish disposition, and a brutal barbarity. These effects are as natural to protestant as to popish persecution. Lubeck in its empty streets, smarts as much for denying liberty to its inhabitants, as Colen. And the contrary of all this is seen wherever men enjoy a free and impartial toleration; witness the plenty, riches, power, and populousness of Holland. How amazing is it that men should proceed so far as to put their fellows to death by murders or massacres, or under forms of law, not because they are not temperate, charitable, meek, honest, good or pious, (which virtues have been often reckoned the symptoms of their heresy) but for notions, fashions, abstruse speculations, discipline, and rites. Putting a man to death for a religion by which you think salvation is not to be had, is no better nor worse than the action of that Italian, who made his enemy blaspheme God, and then stabbed him, that he might be damned. We may express what detestation we please against those heathens who are said to have offered human victims; but putting men to death for religion, is absolutely making them grateful sacrifices to God for corrupting his institution, as goats were offered to Bacchus for spoiling his vines. The papists openly assert, that death ought to be inflicted on hereticks, which with them are all those that will not do as they are bid; and, under this execrable pretence, they have destroyed many millions by several other barbarities besides their horrendous, most unmerciful, and unparalleled court of inquisition, never satiated with blood, nor wearied with tormenting, indiscriminately exercising their cruelties on Mahometans, Jews, infidels, and all Christians that will not be absolute slaves to the pope and his clergy. Calvin, Beza, and Rutherford, are not the only protestants who wrote books to recommend compulsion in matters of religion, and to justify in certain cases the putting of hereticks and apostates to death. Servetus was burnt for Arianism at Geneva, and Valentine Gentilis for Tritheism at Bern. Franciscus Davidis, for denying adoration to Christ, was severely persecuted by the Socinians in Poland, who themselves denied him to be God; and were they in possession of executive power, I doubt not but Davidis had been prevented by the fire or the sword from flying for mercy among the Turks. We burnt some anabaptists here in England at the beginning of the Reformation. Bartholomew Legat and ——— were put to death for the same opinion, and for defending those of the Arians and Socinians in the reign of King James the First, who was more eager than the very bishops to cry out faggots and flames:¹ And I wish no other instances of this kind could be produced among protestants any where before or since that time.

But how is it possible to prevent this if persecution be allowed in any degree; for we have proved that the least does justify the greatest. The clergy, when possessed of such a power, will not fail (as universal experience shews) to preach such notions as make for their own credit and advantage, and none must contradict them under pain of suffering for it one way or another; but wise ministers of state will observe, that, considering the passions and frailties of human nature, the most orthodox divines are inclined to such methods, no less than the most heterodox and erroneous. This is

¹ See a narrative of this execution (the last, it is to be hoped, which shall ever take place in England on such an account) in volume II. of the present collection, p. 400. The name of Legat's fellow-sufferer was Edward Wightman.

not the worst. In all ages and countries, since the establishment of Christianity, ambitious or discontented persons have endeavoured to gain the multitude to their side, by zealots and seditious preachers, as making the deepest impression on the minds of the people; who think they obey God, when they obey their ministers, but that they only obey men when they obey their magistrates; and so, according to their several interests or inclinations, they apply the scripture to their own purpose, that it is better to obey God than men. This is what some directly aim at among us now; but their labour is spent in vain, since there are no discontents for want of liberty. And, upon the whole, as nothing can proceed from God but what tends to our happiness, 'tis impossible that persecution should be acceptable to him, which disturbs the peace of the world, and destroys all virtue, familiarity, friendship, and true love among men.

There remain two objections against this doctrine: That conventicles are not to be suffered, as dangerous to the state; and that diversity of religions is inconsistent with all good government, as being the occasion of tumults and disorders. In answer to the first of these, we have already proved that conventicles are not to be feared on the score of opinions, the magistrate having no right to disturb any church as a conventicle or unlawful, since what they are about is lawful and good, to wit, the worship of God. As to the danger from private meetings, where men might be hatching treason under pretext of preaching religion, the severity of their enemies is to blame, if the privacy of such conventicles be suspected, and all complaints against 'em will cease wherever a free toleration is established, as may be seen now in this kingdom, where no such private meetings are held, the doors of all religious assemblies being as open and free for any man to enter, as those of the publick church. And 'tis most impertinent, I may say disingenuous and insolent, for persecuting magistrates to brand any private meetings with the name of conventicles, as the first Christian assemblies were opprobriously called by the heathens; or for persecuting writers to challenge an answer to what they publish themselves, and then to punish the authors for defending their belief, though at their own request and desire. This commonly keeps the advocates of truth silent, and makes their adversaries ridiculously triumph.

The second objection against a compleat toleration brings us nearer to our point; for if diversity of religions in the state, or even diversities in the same religion, be inconsistent with good government, it must be confessed that all we have said hitherto about toleration was to no purpose, and that the high-churchmen are the only men of the nation that are in the right. But is it not obvious and manifest, that not the difference of opinions, but using men ill for this difference, is the true cause of the hatred and animosity between various sects? Of this the heathens are an example, who differed among themselves as much as we do, and wrote as many books against one another, which is praise-worthy and lawful for each to inform, instruct, or persuade his neighbour; but none of them suffering for their dissent, and being all employed in the state without preference or distinction, there were no disorders among 'em on a religious account. This is not more peculiar to the genius of heathens, than to any other communities of men under the like circumstances, as it appears in Holland, in many parts of Germany, and some other places of the world, where they have many religions, and yet they occasion no disorders. We ourselves the nearer we approach this state, the more we enjoy the benefits of it, and the more we are likewise convinced that diversity of religions is so far from being dangerous, that it ought rather to be counted beneficial, as it creates a noble emulation in manners, learning, industry, and loyalty. The dissenters are as faithful to the queen, and as zealous for the government, against all foreign or domestick enemies, as the church established by law; their purses are as open to support both, and their hands (if they were permitted) are as ready to defend them as any whatsoever. Our people of all sorts drive their traffick and commerce, set up their stocks and companies, and keep their feasts and clubs

promiscuously, without exception to one another's opinions. And who sees not that the heats which yet remain among us, are by no means owing to the church of England, or the different persuasions from it; but to that party, who, under pretence of being this church, endeavour to take away our liberty of conscience, or, which is as bad, to hinder the government from making it more durable and compleat; I appeal to all the subjects of England if this be not so in fact; or, if any is yet in doubt of what can be a secret to nobody, let him read the Memorial, and see who are the complainers, the dissenting religions, or certain members of the established church. 'Tis a notion therefore false as common, that it's necessary for a government to have but one religion. Nor do I see any reason why we should even wish for such a thing, as many good tolerants do; for to worship God purely and sincerely, it is not necessary that it be done by every body in the same manner; besides that it's foolish to wish what is impossible to be obtained, since men will inevitably be of different opinions, and that in free governments they may safely profess their dissent.

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If the memorialist has any project in reserve (for he's as singular a projector as Sir Humphry,² the other Don Quixote of the church) to make all men in all things of one mind, let him publish so advantageous a discovery to the world; but as for the expedient he wishes from Dr Davenant's politicks, by which the queen might have the hearts of all her subjects, I, that am no projector, nor politician, will for once help him to that, and not value myself on the secret neither, as being the most audible voice of God and nature; and it is, that her majesty may go on to administer justice equally, and to employ all her good subjects indifferently. Let the reward of some opinions, with the punishment of others, be taken away, and there will be no longer any quarrel about them, though men may differ still as they did before. Let the clergy of the national church be obliged to preach liberty of conscience, as being the constant tenor of the gospel, the dissenters (we may be sure) will not petition the government to be persecuted; and then all will be for peace, as all will be for liberty. May not our national church continue in her splendour, though the dissenters continue in their obsecrity? as a great lord lives never the worse that he has some mean neighbouring cottages. They desire, according to the precept of our Saviour, and the first rule of morality, that we would but do by them, as, in the like case, we would be done unto ourselves. And, considering among the papists, that heretick assemblies are hunted to destruction, while gangs for debauch and riot are left undisturbed, it was a just request, though oddly worded, which the protestants made to them somewhere, That they might have as much liberty to serve God, as the church's friends had to serve the devil, and they would desire no more.

Now do we expect to hear the hideous roar of such as with open throats, and not without a volley of curses, will ask a thousand questions in a breath, but all ending in this: Whether we would have the sacramental test taken away, and the dissenters let into civil employments as well as the churchmen? which they are peremptorily resolved never to suffer, nor to allow 'em as much as a comprehension. We answer as plainly as we are positively asked the question, That we are for repealing the sacramental test; because this is the most infallible method of preserving the national church, and of perpetuating the tranquillity, as well as augmenting the wealth, power, and plenty of the nation. But before we give our reasons for this, we'll speak one word concerning the long-projected design of a comprehension, which we hold to be absolutely impracticable, from what has been already said of the different opinions which will be necessarily professed, where men may freely declare their minds. There can never, therefore, be any comprehension of all the sects at once with the church; and if the deputies of any one of them will come to an amicable conference with her (as they may

² Sir Humphry Mackworth.

easily do, provided she pleases to admit of it) and that they should happen, which is not likely, to agree, these can only promise for themselves; or if the whole party should come over, 'tis but as every individual person of 'em is persuaded from the arguments offered by the church, or his own ministers. All this is commendable, as are all other ways by reasonable or Christian overtures. But for a comprehension between the church and any party, (as the presbyterians for example) on condition that all others be denied their liberty who will not come into it, what else is this, but that the oppression used by one party will be infinitely more grievous by the combination of two? Yet this design was once upon the anvil, but quickly abandoned by the worthy undertakers, when once they were made to perceive the consequences. The memorialist, therefore, needs not dread a comprehension of all the dissenters with the church, and might have dispensed with the great pains he has taken, both in reflecting on the bishops and ministers of state for favouring such a project, and in examining the several methods whereby it might be effected, where he is absurdly mistaken in every particular. But the comprehension being, according to himself, chimerical, we shall not dispute with him about the means. How ill did such pious but weak endeavours succeed with Cassander, Duræus, Calixtus, Grotius, and all others whose charitable and moderate dispositions engaged them to write about the reunion of religions, as of all Christian churches in general, or of the Lutherans and the papists, or the Calvinists and the Lutherans, or the episcopals and presbyterians, and the like numberless divisions! The end they proposed was undoubtedly good, being the ceasing of persecution, and the establishing of brotherly love. But this is only possible by granting liberty of conscience and community of employments, but by any manner of comprehension or reunion is impracticable; which ought to be well considered by all princes and ministers of state, who desire the peace of the church or country, but who abhor any methods of force or persecution, and therefore in affairs of this nature their priests must never be their counsellors. Page 37, 38, &c.

We shall now examine which is the likeliest way of preserving the dignity and safety of the national church: Whether by excluding all others but the members of it from civil trusts; or by letting all others share with them, who love and own the government as much as themselves. That is the national church (true or false) whose priests and places of worship are maintained at the common charge of the nation, which may be done in several manners, as by tithes and offerings among the Jews, by land and tithes here in England, or by money quarterly issued out of the treasury, as in Holland. Those of the heathen Greeks and Romans, though false in their opinions, were admirably accommodated to the government, yet not more than genuine Christianity; but they were so different in their constitution from ours, that we shall say no more of 'em, as foreign to our purpose. The tolerated churches are they which maintain their priests and places of worship (or their places of worship only, as the quakers) by the voluntary contributions of all the members that are not disabled by poverty. We have already proved, and the church of England does acknowledge, that such tolerated churches and diversities of religion are consistent with the safety of the government, or she had never consented to grant them a legal toleration: Though the memorialist knows so little the sense of that church, in whose name he presumes to write, that he represents all the dissenters as enemies to monarchy, in several places of his libel. The only question therefore is this, Whether, although they are good subjects, it be for the safety of the national church, to have them admitted into a share of the civil government? Where I would have it noted, that I fling out of the question all who neither will nor can be good subjects, as they who admit of any power superior or more binding than that of the state, such as the members of the Roman church: Or if any were found who think that dominion is founded in grace, as if none had a right to govern, or indeed to possess any thing, but the elect of God; and then nothing Page 3, 21, &c.

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40.

but confusion could follow, since all sorts would believe or pretend themselves to be the only saints. But we are certain, that among all the dissenting sects there is not one that holds this tenet, whatever some enthusiasts might have formerly vented in England, or elewhere; which makes it highly unfair in the memorialist to insinuate, as if at least the presbyterians of Scotland were still of this opinion.

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Now, so far is the safety of our church from consisting in the exclusion of dissenters, that this is the sole intestine danger she has to fear. Neither the independants, anabaptists, or quakers (as we have shewn) would be the national church, if permitted; nor can the presbyterians ever be so, but by the help of others. And what help can they so probably expect as of those who, though good and faithful subjects, yet are not only infamously branded for their opinions, but deprived of the common benefits of nature, and from sharing what is due to their abilities, or ought to be the reward of their services? The memorialist, by his leave, is much mistaken, when he says that it is no man's birth-right to enjoy civil trusts, but the result of the confidence the government has in his merit or fidelity. If the assertion were meant of this or that particular man, nobody would question their preferment's being a matter of grace and not of right; since there are many others as capable as that one, and that the government among all may chuse the best: But intended (as by him) of a whole sect, which by the same principle may as well be done of a whole country, 'tis egregiously false. The government has no right (however it may have power) to exclude from a possibility of obtaining such trusts, those who, from nature, birth, or endowments, have an equal title with all of the same nation, unless they had justly forfeited their claim, of which forfeit speculative opinions in religion can be no adequate cause; neither will any wise government deprive themselves of the heads, hands, and hearts of so many thousands, as if they were captives taken in war, to be disposed of at the will and pleasure of their masters. The presbyterian ministers, or any other set of ministers, might preach sedition long enough to little purpose, if their design was only to induce the people to make them the national ministers; but when the cause is the people's own, as to remove any yoke-laid upon them by the national church, they are disposed enough all over the world to hear their ministers, or any others that exhort them to shake off a power by which they think themselves oppressed.

What is to be done then? In the first place, let the national church continue in her legal ecclesiastical preheminance to perpetuity; let her clergy enjoy all their present dignities, immunities, and possessions; and, to confirm these beneficial privileges, let new laws be added to the old, if any be wanting. Secondly, let the tolerated churches likewise enjoy their legal religious liberty for ever; let them be treated, as well as reputed, like good subjects; and admitted without any partial distinction to all offices in the state. And, Thirdly, let it be the irrevocable law of this land, that whatever sect is not contented with this civil and religious liberty, but shall endeavour at any time to make themselves the national church, be to all intents and purposes reduced to the condition of Helots or slaves. But there will be no fear of this direful misfortune befalling any; for those of the national church finding themselves in all respects secure and unmolested, will never seek to oppress the dissenters. The dissenters being permitted to worship God as they think most proper, and equally sharing with others in the state, will never go about to disturb the national church, merely to be eased of what they contribute to their ministers. And the ministers, being as largely provided for in this manner as if they had the inferior benefices of the church (for the greater dignities agree not with their parity) would contentedly remain as they are, since they could get nothing, and would run a hazard to lose all, by the change. Thus the temptations and causes of state-hypocrisy would be effectually taken away. But I must not forget to mention, that as the doctrine I here deliver is not only grounded on what men ought to be, but also on what conduces to their interest, so it is actually observed,

and with suitable success, in other places of the world. Yet as in all I have hitherto written of toleration I am persuaded I speak the sense of my superiors, so, in proposing to abrogate the sacramental test, I only deliver my own private opinion, which I submit to the judgment of others. How the high-church faction obtained the Corporation Act, and for what ends it was granted by the court, is too well known to need a particular history here: But as it is no disparagement, but a glorious testimony to the wisdom of the government, and the charity of the church, to dispense with part of the Act of Uniformity, and to restore liberty of conscience, which was taken away by the same men, so it will highly redound to the safety of the church, to the strength of the government, and to the eternal honour of both, by repealing that other statute, to compleat and perfect our civil liberty.

But the conspirators are so far from such peaceable and prudent dispositions, and are so averse to bringing the dissenters into the church, that they cannot bear even their expressing any approbation of our way, or their conforming occasionally to our worship, either to shew their charitable and good opinion of us, or their laudable inclinations to a union: But they declaim against this practice as hypocritical and equivocal, a novel trick to elude the force of the law that incapacitates them for civil trusts. This charge is contrary to charity, fact, and prudence. God alone can judge of the dissenters sincerity or dissimulation in this case; but they certainly make hypocrites of others, who force them to come to church, or to profess what they don't believe; and are hypocrites themselves, who say they do this for God's sake or religion's. The dissenters, from the beginning of our divisions, owned the church of England to be a true and most protestant church, though not so pure as some other reformed churches; yet not so corrupt, but that they could communicate with her members as brethren, which they could not do with a church so depraved and idolatrous as the popish. Thus they profess communion with the Lutheran churches, and even with the Greek, it being an ordinary thing for the presbyterians, independants and anabaptists, to communicate with one another. In effect, they did generally communicate in our churches (except the Brownists) before the civil wars, and would continue to do so after the Restoration, if by oaths and subscriptions (with which it was impossible for most of 'em to comply) they had not been cast out of the church; and afterwards in a manner out of the state. Yet several of their most eminent ministers (of which I shall name for an example but the deceased Mr Baxter and Dr Bates, with Mr Humphreys still alive) and a great many of their laity, have practised this occasional communion long before the Revolution, and in times when entire conformity could not get the whigs of any sort into places of trust, whereof they had then no prospect or expectation. But the ignorance or malice of those who charge the dissenters with inventing this as a trick to evade the laws, is at once laid open and for ever baffled by a proof I am going to produce beyond all exception: For the independants, who in the year 1658 were no dissenters, but rather had the disposal of most preferments, and who nevertheless, since they are become dissenters, get into preferment the seldomest of any, did allow and ratify occasional conformity in the declaration of their faith and order agreed unto by their elders and messengers in their assembly at the Savoy the same year. After declaring, in the twenty-ninth article or paragraph of their discipline, that persons sound in the faith, and of conversation becoming the gospel, though of different reforming churches, ought not to refuse the communion of each other, so far forth as may consist with their own principles respectively, though they walk not in all things according to the same rules of church order, the next article, which is the last in the book, runs in these words, "Churches gathered and walking according to the mind of Christ, judging other churches, though less pure, to be true churches, may receive unto *Occasional Communion* with them such members of those churches as are credibly testified to be godly, and to live without offence." The text is so plain for

the name and thing, that it needs no comment, and so I leave it to the high-churchmen's consideration.

The readers may be assured that what we have hitherto said is not out of any particular favour or affection to the dissenters, whom we have not forbore to blame and condemn, when we found they deserved it, but out of a due concern for the national church, which we thought ourselves bound in duty to vindicate from the aspersions of the conspirators, and the prejudices of the dissenters. All who wish well to our churches peace, are exceedingly pleased with the practice of occasional conformity, which has already brought over great numbers to her constant communion, among whom are many considerable families; and the rest, though they still keep to their own meetings, have yet a better opinion of us than such as never come into our churches. For such as least frequent either way of worship, or that never saw but their own, are observed to be the most positive in their censures, the basest in their representations, and the boldest in their calumnies, because ignorance is always furious and inconsiderate, as not being moderated by the dictates of reason, nor enlightened by the rays of knowledge. Our governors, both spiritual and temporal, perceive these approaches with joy, and forward 'em by their encouragement, as the care of the church and state requires at their hands. But they who design the subversion of the government, and consequently of the church, by setting over both a popish head, are enraged to see all their measures so wisely disconcerted, and their projects of dividing us so happily disappointed. For this, without fear or caution (as men plainly in despair) they damn the dissenters, rail at the whigs, unchurch the bishops, degrade the lords, threaten the ministers, vilify King William's memory, insult and traduce Queen Anne. Instances of all these, and much worse things (if worse can be) are to be read in their late memorial, whereof we have mentioned some, and many more will follow.

Of the Ministry.

It appears, by the constant series of our history, as well as by the deduction now made of our controversies, that the greatest grievance and unhappiness of this nation, was to have some of its princes, who, miscarrying in their aims at a larger power than the constitution allowed, were forced to make use of certain corrupt instruments, that for their own lust, or gain, or grandeur, would make no scruple of betraying their native country; and these again, having no real or true interest among the people, were obliged to make use of parties, either resolutely to carry their point, or to extricate the king and themselves out of the difficulties their mismanagement had occasioned. This method of government did of course produce a most unstable and contemptible administration, hated at home, and without weight or credit abroad. Frequent changing of hands was one of its principal, but unavoidable effects; and how this increased our divisions, exasperated the parties against each other, and made opposition to the court the surest way to preferment, with the pernicious influence of such weak counsels on all our publick and private affairs, cannot be unknown to any man of observation, and therefore is a subject that wants not here to be illustrated.

But it being now our unspeakable felicity, to have a queen on the throne, who has no interest of her own separate from the good of the kingdom, and consequently no need of governing by tricks or expedients, she has graciously chosen a ministry, not only most capable of discharging their several offices, but instructed and inclined to treat all good subjects without any distinction or partiality, having no designs to carry on by one party against the rest, her majesty being the common mother, ruler, and protectress of all her people. These ministers, as they are each of them sincere members of the national church, which they deservedly prefer to any other, and for whose welfare

they'll always be no less vigilant, than zealous in its support, as a part of the government committed to their care by her majesty; so they can tolerate others according to their private judgments and the laws of the land, without being lukewarm or indifferent in their own faith, which is the common accusation of bigots, against those who are for peace and liberty of conscience. In the distribution of employments they chiefly consider the fitness of the person, yet confer no trust on any that is not qualified by law, whatever opinion they may have of his fidelity or merit: But, for the reasons we have alledged above, they do not reckon occasional conformity to be hypocrisy, nor is it dangerous (as was shewn) but serviceable both to church and state. They are so thoroughly engaged for liberty (which is the noblest as well as the most honest and certain way of recommending themselves to the love of a free nation) that they are against all new impositions in matters of religion; and so far from keeping up or perpetuating our differences, that they do not unreasonably impute to any of the present the rebellions of the past age; most men now alive being then unborn, others opposing what was done, many of the guilty having since repented, and all disapproving those actions, which are much fitter to be forgot, than revived on every trifling occasion; for no party could be innocent, were they accountable for the opinions or practices of their predecessors. As the church of England has their heart, so the dissenters have their protection, they finding them to be peaceable and loyal subjects, numerous, wealthy, and industrious, improvers of land, and managers of trade like other people, increasing the publick revenues in proportion with their neighbours, and paying their taxes as willingly. But as vast numbers of people are the truest riches of a country, not only by their manifold possessions, but also by their strength or wisdom, and, in a word, by the united service of all their corporeal and intellectual faculties; so neither the present ministers, nor any future set that will be desirous to resemble them, will advise or contrive to rob the queen of such powerful assistance, or by any degree of persecution to diminish the wealth and glory of the nation; either to gratify the humorous ambition of a few, or for differences about certain points not essential to Christianity or good morals, and which on all sides are consistent with the civil government.

Such a prince and such a ministry have long been the objects of the people's wishes, and for the happy enjoyment of both, their expressions are as grateful as their satisfaction is complete. They are so universally pleased with the steady and equal measures at home, with the great and glorious actions abroad, with the unparalleled œconomy and faithful application of the publick treasure, that neither the malicious aspersions of the despairing conspirators, nor the subtle devices of any sort of abdicated ministers, can gain the least credit with either moderate churchmen or dissenters, who are all aware both of those who envy the nation's prosperous state, and of those who are enraged they are out of the ministry, or that they cannot possibly get into it.

Discontented statesmen, and traitors to the government, are thus strictly combined against the present administration. But next the queen's majesty, the lord treasurer is the principal object of their spite: First, because he pursues these excellent maxims, and then because he's not so weak as to be frightened or bullied out of them; for the enemies of all wise men do hate 'em the more on this very account, that they still continue to be wise, and will not fall into those snares, which they have laid for their disgrace or destruction. Nevertheless their venom is shed without poisoning the judgement of the meanest peasant, since 'tis not unknown to any body, that all his fault is for being faithful to the queen, impartial to the subjects, and firm for the protestant succession, while the most virulent of his enemies can make no exception to his ability in the post he possesses, or to his integrity in the discharge of it; and truly it is an odd way of attacking a publick minister, by owning that he's the most deserving in the nation of his publick trust, and yet to be unmeasurably angry with him, without ever

shewing that in his office he has been guilty of the least miscarriage. This serves but to render his worth more generally known, and to make him the more beloved and valued by the people, whose favour no wise man ever neglected; for an inclination to popularity from meritorious services, is not the weakness exposed by historians, but the vain pretences to it, on very slight or no foundations. His incomparable management needs no foils to set it in a better light, and therefore I forbear to reflect, as much I justly might, on any other treasurer who kept not his accounts so fair and entire, or whose zeal for the church is hard to be proved from being employed in King James's high commission. How infatuated is the faction grown, to pretend my Lord Godolphin is no good churchman by reason of his moderate carriage; at the same time that they complain they are wrongfully accused themselves of being against the toleration, whereas no family in the kingdom has been more devoted to episcopacy than his, and that he himself is acknowledged to have done most signal services to the church. But they say (without offering to prove it) that "he has deserted his principles and party;" and, supposing it a matter of fact, that through the contagion of King Charles's court (in which he was early bred) he were tainted with principles that had engaged him to any faction, contrary to that moderation and latitude he now appears to have; the quitting of such a party and principles will but confirm the reputation he has obtained in the world of being a wise man, and add lustre to his name in history. We must not forget that the pretended churchmen (as it's commonly known) do take it for granted, that his lordship is extremely timorous, from their mistaken notion of the caution which is inspired by that wisdom they are forced to allow him; and the main end of publishing their Memorial was, on that supposition, to terrify him into their measures, or out of his own. But they ought to consider, not only that the most cautious are the most constant, but that as the conspirators have great fury, so they have little force. However, they are in the mean while most prodigal of their menaces, especially against one, who, the memorialist says, "has got the reputation of a cunning man," to whom they allude in another place, when they complain of some men's coldness to what they call the church, which, they threaten, "for all their cunning, may at some time or other undergo a severe examination:" And, at last, when they would have us expect no less than an open insurrection from their party (though few in their own account) or at least, that they'll lay violent hands on the ministers, they tell us "the treasurer is wise," (they mean timorous) "let him therefore look to it, and maturely weigh who are to be provoked at this juncture." Now, after all, if the treasurer proves stout as well as wise (which we have no reason to doubt, if his political be as good as his personal courage) what a disappointment will it be to our profound politicians; and to what a fruitless purpose was the Memorial contrived, the laborious result of so much oil and thought! Besides that, if the old saying be true, "forewarned, forearmed," his lordship understands what quarter he's to expect, and so will probably secure himself where he is. If they think him wise (and if they don't I guess who are foolish) why do they trouble him with advice, whereof no wise man was ever ignorant? as if all persons in elevated posts did not know, that their flatterers were mixed with their friends at their levees; the men of expectations with the men of business; and while he distinguishes the one from the other, he needs not grudge the worst of them room in his anti-chamber: For his reliance is not on such transitory crowds attending his office, which are common with him to all ministers, but in the knowledge of his own integrity, in the confidence of his queen, and in the gratitude of his country.

His grace the Duke of Marlborough, at the time he exposes his person abroad in defence of the church against her professed enemies, though he was one of the first, who, to rescue the same church from popery at home, joined with the pious arms of the Prince of Orange (for whom he'll never by some men be forgiven) yet he too is represented in the Memorial as having warpt from the church, though we are still left

to conjecture what sect he has embraced, except that we are certain he's not a quaker; witness the immortal trophies gained by his victorious sword at Schellemburg, Hochstet, and by his forcing of the lines in Flanders. But this, even this, is his crime; he thus irrecoverably defeats all the French schemes of the mock court at St Germain's, and frustrates the expectations of their popish and high-church friends on this side of the water. He approves and assists the moderate councils of his royal mistress, without which he could not be so truly faithful in her service as his duty and gratitude oblige him. For the same reason, the Dutchess of Marlborough is also made to pass for an un-
 dutiful daughter to the church, because she will be neither tempted, nor threatened, nor libelled, to abuse the trust reposed in her fidelity by her majesty, whose honour, safety, and tranquillity, she's bound above all things to study and desire. The reflection
 of the *he* and *she* ministers is ridiculous and childish, as well as spiteful and little; as if all queens did not consult the ladies who are first in their court, or their esteem, whose advices won't be considered by the people as *he* or *she* advices, but as they are noxious or salutary to the kingdom: And we are not unfurnished with examples in our own annals, where some of our wisest princes did not disdain to receive good counsel from the female sex. But these nice church-men would find no fault with her grace, did she but, in conjunction with them, betray the kingdom to France and popery, no more than they did with those famous mistresses who reigned over their own King Charles the Second.

The Right Honourable Mr Secretary Harley¹ is not once named or characterized in the Memorial, which was not done by our high-flying politicians out of design to render him suspected; for he's so much an Englishman, that, temerarious and unthinking as they are, they could not hope to make him pass, even with the most credulous of their own implicit herd, for a friend to their cause. But all mention of him was omitted, either out of hope or fear, being too considerable to be neglected or forgot. If they feared to irritate him, and to rouse so formidable an adversary, their caution is certainly to be commended; for none in the three kingdoms better understands the extent of the people's liberty, the bounds of the prince's prerogative, the privileges of parliaments, or the force and tenour of our laws; all which qualifications, with his consummate literature, render him indeed the most capable of any to encounter those who would confound all our rights, and bring us under a slavish and barbarous subjection. But if they had any such fore-sight as to hope he would become a mediator on their behalf, in case they found no possibility of succeeding in their design, they are again no less to be commended; for in every party he always hated extremes, which are apt to carry the best too far; and he has often generously endeavoured to bring those of all sides to a right understanding and love of the true old English government: Wherefore even those misled or pretended church-men may securely depend on his good offices, whenever they are so penitent as to deserve, or so wise as to sue for them.

So far is the government from being unforgiving or implacable at the infinite affronts offered by these men, (whose welfare, no less than that of other subjects, they would gladly procure) that whenever they return to themselves and their duty, they may expect the same mediation from all her majesty's ministers, who ('tis most apparent) were not advanced to the high posts they enjoy, either for being all tories, or for being all whigs, and therefore much less for being the keenest of either party to execute the vengeance of the court, or to gratify their own private piques against the other; but for being men of clear estates and undoubted interest in their country, of fair and unspotted reputations with all men, declared advocates for peace and toleration about disputable opinions, and, notwithstanding any difference about smaller matters, having

¹ The celebrated Robert Harley, afterwards Earl of Oxford, although he came at length to be the head of a tory administration, was descended of a dissenting family, and was generally believed to have some attachment to their principles.

an extensive charity for all denominations of Englishmen that will unanimously agree to support her majesty's title and the protestant succession. Although this character does very particularly belong to his Grace the Duke of Newcastle, whose being more intimately received into her majesty's councils, was universally esteemed the presage of an upright and impartial administration, as being a person that could have no other possible end or prospect but the service of his country, in taking upon him the trouble of any post: Yet, without competent measures of these qualifications, men of the greatest abilities may aspire in vain to the honour of being the queen's ministers, in whom she indispensably requires a high degree of moderation. For this disposition, we deny it not, they were picked out among so many; in these things, we acknowledge they are ready to do as they are bid: And we have all the reason in the world to believe, that the queen will still prefer the best and wisest men among the whigs and the tories; though 'tis somewhat odd, that no sooner a tory is known to be moderate, but he's presently reported by his party to turn a whig.

But why should this become the subject of our wonder, when even the queen herself, for daily practising and recommending this healing virtue of moderation, is most unworthily and falsely traduced in the Memorial, as partial to the dissenters, and obstructing laws in favour of the church of England, for which the author of that libel sticks not boldly to say, that her zeal is damp't, and that the church holds not the same rank in her esteem and confidence that she held heretofore. This needs no aggravation, and as little needs any answer, considering her majesty's strict education in the principles of the church of England, her adorning the doctrine of it with a life so religious and exemplary, appearing at the Revolution in its defence (attended with the most critical circumstances) even to the hazard of her life, and being so remarkably kind and bountiful to the clergy, since her happy accession to the throne; and without question their numerous addresses, wherein they ascribe all our successes to her appropriating part of her own revenue for their maintenance, will be thought a more authentick evidence of her affection for the church, than the wretched insinuations of the memorialist concerning her partiality to the dissenters. All these things are as fully known to the nation, as that the high-church-men never treated Charles the Second at this rate, nor gave any warning of the church's danger then, notwithstanding the hasty advances made to that popery, which appeared barefaced in his brother's reign. Wherefore their calumnies are sufficiently answered by repeating them, and thereby shewing to the world the high-church-men's matchless ingratitude. But what can it be that has thus inflamed their rage beyond any regard to truth or probability?

The cause is plain and confessed. Her majesty's repeated cautions in her speeches against divisions, her frequent inculcations of the necessity of moderate counsels, and her repeated exhortations from the throne to peace and union, (the most glorious eulogies of the best of princes) by which not the church of England, but the conspirators against both it and the government, find themselves (as the memorialist complains) sensibly reproached with want of Christian charity, and the true spirit of peace. Now for this very reason, every man endued with ordinary sense, must needs conclude them guilty; for if they are innocent, why should they apply those advices particularly to themselves, which her majesty without distinction directs to all her subjects represented in parliament? For, in order to conclude a peace, both sides must consent, and have the same disposition.

Yet this sensible reproach from the throne is not all the cause of their discontent. Moderation quite spoils their designs, being the only thing that can unite the nation against them, while their main hope consists in our divisions, which cannot be more successfully effected than by rigour and persecution. For this it is that the very word moderation is abhorred, and so many invectives have been made of late against the thing, that it has raised a kind of civil war among the learned, one of 'em being forced

at last to write a whole book, to prove moderation a virtue, which book was answered and defended. The author would run no small risk of being counted phrenetick and ridiculous by posterity, if the other party had not so warmly written against him: And that the Memorial of the church of England, with several other such libels, will fully prove, that there was then in being the sect of the Tories, otherwise called High-churchmen, who denied moderation to be a virtue; and that it will be recorded as a commendation, which few other sects deserve, that their practice was ever agreeable to their profession. Nor will it be mentioned with less honour to their critical learning, that one of their prime doctors proved moderation to mean persecution, when we are commanded in Scripture to "Let our moderation be known to all men," which was an exhortation to the bishops (as the doctor will have it) to let the effects of their church government be severely felt by all hereticks or schismatics, or other obstinate and contumacious persons; since, in the Latin tongue, *moderor* signifies to steer and govern. Now was not this an admirable argument for so worthy a cause? And what pity is it the doctor was neither so good a divine, as to know the New Testament was originally penned in Greek, nor so good a classic as to know, that though *moderamen* be put for government, *moderatio* is never so, which makes me hope that this sermon was not preached before the most literate auditory at St Mary's in Oxford.

By this time every man must perceive the meaning of the outcry against both the queen and her ministers for their moderation; and what the memorialist intended a reproach, is sure to be hereafter, as it is at present, the truest and noblest character of this reign, that moderation was the word, the *passe-par-tout* that opened all the placed doors between the Lizard-Point in Cornwall, and the town of Berwick-upon-Tweed: And that, at her first coming to the throne, the head of the church inclined not only to forgive, but to forget past injuries; for the exercise of which heroic virtue she has still occasion enough, as appears by the Memorial, and the behaviour of certain of her subjects, who abuse her extraordinary lenity and goodness.

The memorialist, among many other unnecessary pains he has taken, might have likewise omitted helping the ministers to an apology for their moderate and impartial conduct, since they need no excuses of any sort, and least of all such as he borrows or makes for them, as if they were forced to comply with the times, and to act by necessity against their inclinations, till they find a favourable opportunity of putting those projects in execution which they keep in reserve. The ministers, on the contrary, are plain and above-board, they have none of the old games to play in the dark; and one of the excuses he makes for 'em (a strange thing indeed to be made an excuse) is the true and only ground on which they act, the fundamental maxim whereby they square and order all their measures, which is, that the queen must have the hearts of all her people, and in order to it, give equal encouragement to all her loving subjects without distinction of parties. And is not this to be in the highest manner God's vicegerent, who is no respecter of persons, but in every nation, he that fears him and works righteousness, is accepted of him? If the ministers (as I doubt not but they will) do steadily abide by this profession, and convince the nation of their sincerity by their practice, they may boldly bid defiance to all the machinations and enterprizes of their adversaries. But the memorialist, who undertook to fright 'em out of their wits, pretends they are not so secure, for that they have forfeited the esteem and affection of the whole body of the churchmen, to make themselves the heads of a prickeared faction: As if losing the good liking of the light and high flying body of such churchmen as he means, was not the most certain way of recommending 'em to the love and conscience of the whole weighty body of the nation, able indeed to crush a corrupt ministry to pieces (as it has frequently happened) but an unshaken support to the good and the wise of all sorts. By the contempt expressed in the phrases of prickeared faction, spiritung up a faction that was down, and a broken dejected faction, one

Page 9.

Page 5.

Page 15,
24.

Page 13.

Page 29.

Ibid. p. 29.

would think the memorialist has not so good a memory as he seems to have a claim to; for we have it more than once (as we are going to see) under his own hand, that his party is but miserably small, and that the whigs (on the contrary) are both numerous and formidable. Nor can I perceive that the flower of his churchmen are many in number above the constant honourable few, who only by a single couple exceed one hundred thirty and four; and these without any dependence or support, since their supposed great friends, assertors, pastors, and protectors, are, according to himself, gone over to their enemies: So that, for ought we can learn, they are without prince, bishops, ministers, or statesmen.

Why therefore all this hectoring, blustering, and swaggering, from a despicable handful in so lamentable and forlorn condition; considering especially, that in the brightest sun-shine of the Tories favour and power, they were not an equal match for the whigs, though labouring under a thousand disadvantages, and wholly deprived of the countenance of the court? Should I be suspected herein of partiality, I humbly desire the memorialist may for once be heard with patience: "If while the court was for us (says he) the House of Lords almost entirely with us, the House of Commons undebauched in their principles, and the laws vigorous on our side, even in those days the whigs, republicans, and fanaticks, increased and multiplied upon us; how will they insult us now, when all our strength is reduced to a remnant in the House of Commons only, and those opposed by the other house, brow-beaten by the court, and aspersed, vilified, and abused by the whigs, republicans, and fanaticks all the nation over?" It may be justly wondered how, after so long experience of their principles and practices, they should happen to have a remnant any where among so free and intelligent a people! The best on't is, that the court, the lords, and the whole body of the nation, are against 'em in their own opinion, as well as in reality: And, since their remnant in the present House of Commons is almost reduced to nothing, they are rather to be pitied than to be feared; for the most helpless women and children in their anger, are as liberal of their threats as of their tears. As for the whigs, there are among them, as in all other great bodies of men, self-interested and corrupt persons, for whom I shall be far from making any defence; I only justify such as keep to the principles of the party, which the Tories themselves know to be the principles of the nation, by affecting to honour the memory of the old whigs, whom yet they imprisoned, banished, or hanged, in the foregoing reigns, pretending now that the practice of the modern whigs is not answerable to their profession, being base recreants, recanting all their old principles in the stile of the Memorial, which we grant cannot be objected to the ancient or modern Tories, they being acted by the same uniform spirit of arbitrariness, violence, and persecution; and whenever any of them quits these principles, he's thought to quit his party (as we said) and to become at least a whig *de facto*.

By the way, one prime artifice of the conspirators, is, to talk constantly of the whigs, as if they were all dissenters, when their main body are members of the church of England; the distinction of whigs and Tories being wholly political, and relating only to civil affairs. The whigs maintain, that all good governments are (under God) originally from the choice of the people, for whom, and by whom, they are established; and that no government is good which does not consist of laws, by which the magistrates are restrained and regulated no less than the subjects, for their common happiness. This end of all society, they think, may be compassed by several methods, means, and forms, since the sovereign authority is safely and commodiously lodged in a few or many hands; and, among the rest, they like none so well as our own mixed form, of king, lords, and commons, the latter being purely elective, the second, absolutely hereditary, and the first partaking of both: For the regal line is on the one hand, hereditary, to avoid the uncertainty, venality, tumults, and disorders, of fre-

quent elections from different families; but on the other hand, to prevent the worse inconveniences of having for our kings madmen, fools, tyrants, papists, or persons otherwise unfit to govern, the succession is so limited by laws, as to be subject to divers incapacities, and 'tis at the pleasure of the legislative power to increase or diminish such incapacities, as they shall find most conducing to the welfare of the nation. From the principles of the whigs, and from such a constitution, 'tis easy to conclude, that, in the first place, they hold it lawful to resist tyrants and usurpers by arms; believing princes to be made for the people, and not the people for the use, will, or lust of the prince. Secondly, That the ample revenues of princes are a reward proportionate to the high dignity and vast pains of their office; which are paid by every man in particular (according to their ability) for the assiduous care those fathers of the country take of all the subjects interest in general. That, Thirdly, the respect which is paid to their persons, is a general acknowledgement of their prudent councils, equitable administration, or valiant actions; and that those honours are only due by custom to bad princes, the greatest professions of fidelity to absolute masters being ever offered from the bottom of the heart, when either fear requires such ceremonious submissions, or when flattery finds 'em convenient. The whigs are therefore avowedly defenders of liberty and laws, opposers of licence and despotick power, maintainers of the legal, but not absolute succession of the crown; the friends of good princes, for whom they would freely expose their lives, as they would do the same against tyrants to whom they are enemies, being every one of them for liberty of conscience, and mostly for a general naturalization.

The contrary of all this is a tory, one who is for passive obedience and non-resistance to the will of the prince, for the hereditary succession of the crown without any limitations, yielding a servile and blind obedience to the prerogative, being all for persecution in matters of religion, and very few or none for any sort of naturalization. 'Tis true, their nature is often apt to rebel against their principles, but that these are their professed principles, is undeniably evident from all their laymen and divines books in Charles the Second's time, which was properly their own reign. The contrary principles they did then (as they do still) object to the whigs; for which, under the name of republicans, they rendered them odious to some of our princes: And here I refer in particular to the decree published by the university of Oxford in the year 1683, and which (as I am informed) did lately, if not at present, hang in some of their college halls, notwithstanding their oaths to King William and Queen Anne, and the oath of abjuration, which contains the right of the house of Hanover; with all which, and the arms taken up in their defence, that famous decree is flatly incompatible. But whoever rejects and disowns this decree, or denies those to be his principles, which are here imputed to the tories, he may dislike the word whig or republican as much as he pleases (and nobody will quarrel with him for names, commonly given to all sides by their enemies) but he certainly agrees about things with the republicans; for there are no middle principles between theirs and those of the tories; and we have already hinted, that a whig does not peculiarly signify a dissenter.

Now where is the wonder, if the whigs have been always too hard for the tories? That is, if the bulk of the English nation, who live under a free government, and are in their principles for liberty, should continually get the better of a certain faction of ambitious statesmen and clergymen, with their few implicit followers; who, to gratify their own vanity, avarice, revenge, or superstition, would sacrifice all our civil and sacred rights, nay, human nature itself, to the arbitrary will of the prince; for a despotick government is truly and properly a government of beasts, though even most of these will grumble, snarl, roar, kick and bite, at passive obedience. Opinions in religion then are not concerned in the distinction of whig and tory; for may not a man be indifferently a whig or a tory, whether he holds baptism is best administered by dip-

ping or by sprinkling? Whether he understands bishop to be a synonymous name for presbyter, or the stile of a higher order? Or which soever he prefers, receiving the Lord's Supper sitting or kneeling, or to hear his parson preach in a cloak, or in a surplice, or without either? And were whiggism restrained to the dissenters, I fancy the memorialist would find it a hard task to make 'em so wise and powerful a body as he's forced sometimes to represent 'em: But the late Revolution, with the act consequential to it, is the most infallible test whereby to distinguish and discover the true whigs.

Page 81. The generality therefore of the church of England, and all the dissenters being whigs, the memorialist is in the right to advise the ministers, to be sure that they are able to steer clear of these rocks, which no man has hitherto done: He might have added, No, not the whig ministers themselves, when they were playing a tory game, to the disadvantage of the principles for which they were preferred, and to the indignation of those whose popular recommendations brought 'em first to the knowledge of the publick, and then advanced 'em on their shoulders to those posts, which some of them so little afterwards deserved by their mean complaisance, and those hasty methods which others took to raise estates, wherein tools are ever necessary; and this last is the true reason why they generally deserted or neglected their old friends, and were fonder of employing footmen, bankrupts, poets, players, and pettyfoggers, than men of family, learning, ability, or virtue; besides that one or two of 'em could bear no rivals to their reputed capacities, which made 'em discountenance those of their own party who were fittest for business, and therefore all business quickly miscarried in their hands. But (this conduct relating only to their private interest) what made 'em incur the displeasure of the nation, was their endeavouring (though in vain) to bring all the whigs to vote against the triennial bill, the judges bill, the bill for regulating trials in cases of high treason, the bill for disbanding the army, and their contriving to gain certain other dangerous and invidious points, in order to make their own court or fortunes, though directly contrary to their former professions, which induced several to call their ability in question, no less than their integrity. As a judgment of God, the tories might justly suffer in King William's time under bribed judges and perpetual parliaments, without knowledge of their crimes, or advocates to plead their cause, for promoting these hardships formerly against others, without considering how another time they might turn on themselves. But such a spirit of partiality, arbitrariness, and revenge, was strangely unbecoming any whigs (and detested indeed by the true whigs) who by their principles are patrons of the liberty of mankind, and formerly struggled to obtain those laws, as being the most genuine dictates of nature. Of these and the like things, that make for or against the common good, the people are ordinarily sharp-sighted judges, even those of 'em who know not what is meant by the words whig and tory: And therefore all wise ministers will take care to steer clear of these rocks, on which they may otherwise be sure to split. Even our deliverer and restorer King William himself, when (by the misinformation of such as ought in duty to him and the publick to have advised him better) he fell once or twice into measures not contributing so directly (as he intended) to his own glory or the interest of the nation, found the whigs no stupid silent slaves, no obsequious Asiatick sycophants, which the memorialist mentions to their reproach, calling their opposition in such cases ungrateful returns, and themselves bitter and ungentele enemies: Whereas others will remember this to their everlasting praise, thus to obstruct the mistakes of a prince whom they so highly trusted, loved, and valued, without defrauding the very tories of their share in that honour; for 'tis no matter to the state who are for a good thing, nor for what ends, provided the thing itself be truly useful, seasonable, and necessary.

But how comes the memorialist all of a sudden to be thus solicitous for the safety of the present ministers, against whose fame, designs, and management, he has published so lewd an invective? Why, merely to create divisions and misunderstandings,

according to the fundamental maxim of the conspirators; and our author (it seems) was chosen for the subtle Ulysses, to set the lord treasurer and the whigs together by the ears, by giving wonderful wise cautions to the one against the other, as being equally concerned for the good of both. You have heard how sagely he was admonishing the ministers against the whigs; for he supposes my lord treasurer all this while to act a part, and to be against the whigs in his soul, though the whigs are so simple as to be well satisfied of the contrary. Now he addresses himself to the whigs, "who," he says, "if they be wise, will consider for what ends they are at present caressed, and whether their own share of the nuts they are employed to rake out of the fire, be worth burning their fingers for." They have considered it, and will consider it the more to gratify their kind-hearted, civil, and ingenious friend the memorialist; but still they are such stupid politicians, and stand so much in their own light, that they can never consider to his purpose, so long as they find their share of the nuts is honestly given them. Well, if he can't prevail with the whigs, he'll try his lordship once more, and tell him a story of Katherine de Medicis, the French Hugonots, and the Parisian massacre; whereof the moral is in his own words, that "friendships founded on ambition are fallacious and dangerous, and never lasting: For he that, to serve a present turn, gives up his old friends, to serve a future one, will give up his new ones to them to recover 'em again." And no doubt but the treasurer (who acts not for new or old friends, but for the queen and the nation) will look on the application of this moral as a mighty compliment; especially when 'tis thus by way of advice, from so zealous a well-wisher, who in the very next lines says as much to his supposed whiggish bubbles. I forbear to recite any more of these counter-advice just upon the heels of one another, it being a nauseous piece of vanity in the memorialist, when purblind children may see through his cobweb devices, to dream of deceiving the eyes of one of the most perspicacious and wisest men in Europe; or of a party, that in his own account made shipwreck of all the kings and ministers that did not keep clear of 'em. Nay, "they proved too hard for Sunderland himself," who, without all question, was the ablest statesman of his time; and to whom, when his story comes to be impartially told, England will appear to owe the highest obligations, though no less ungratefully used by a few of the leading whigs, than vilely misrepresented or misunderstood by most of the Tories. But what all these could not effect, one singular politician proposed heroically to achieve in the name of the church, as if that word had carried some irresistible charm; and when he has done it, we'll be content to raise him trophies as high as her steeples.

Page 24,
&c.
Page 30.

Page 29,
30.

Page 31.

What, is all the wind and venom against the ministry thus idly spent, and is there no dirt that can stick? No imputation that can fasten, or pass at least for probable with the unthinking mob of any side? Yes, a double charge yet remains; and if neither hits, somebody is like to die in despair. First, We are told, that there needed no managing of the dissenters, by obstructing the bill against occasional conformity, and that therefore it was an unnecessary opposition to the church, which makes it the less excusable. But 'tis supposed gratis here, that this was done by way of trimming or management, but not on the principles of toleration; and that occasional conformity is injurious or dangerous to the church: For both these notions we have already exploded. Yet, contrary to all reason and experience, the memorialist affirms, that "the dissenters would not be disobliged, if the bill against occasional conformity had passed." But what if the dissenters were disobliged? "What is it," says he, "the publick wants from them?" He answers, "The assistance of their hands and purses. The first of these," continues he, "we have not," and pray, whose fault is it; theirs who offer or refuse that assistance? And if our fleets and armies did wholly consist, as they do not, of such as can always conform to the publick service, yet would it not be still much better, if all good protestants and faithful subjects might join their strength in the progress of our arms, though they cannot agree in the methods of their prayers?

Page 15.

Ibid.

Page 15. Besides, that if our forces (whose gallantry exposes 'em daily to a thousand deaths) are all formed of churchmen, the dissenters, according to political arithmetick, must in time surpass us both in wealth and number, and consequently in power. As for their purses, "the taxes," he says, "being imposed by the legislative authority, they could not refuse, unless they would rebel." An oracle fit for a high-church or a Morocco politician to utter, but not to be heard in free countries, where states and princes must have the hearts of their subjects, as well as their hands or purses; being never sure of the two last, without possessing the first, and being only sure of the first by an equal distribution of law and justice. But, if his word be taken for it, there is no fear of their refusing to lend money to the government, while they receive good interest; and may not this as well be turned upon the high-churchmen, only that they are neither such good subjects nor so rich (few merchants being against liberty) that the government should much depend on their loans?

Page 19. Now the memorialist turns adviser again, and is not a little concerned that the dissenters are abetted, headed, or supported, by Latitudinarians, Socinians, and other men of no principles, or immoral lives. Our bigots of the high-church little think what honour they sometimes do (by their unwary heat) to those they intend to discredit or defame; for if any man be more serious or strict in his conversation than others, he's straight esteemed a presbyterian, as if levity and looseness were essential to a churchman, or he's branded for a Socinian, if he possesses more than ordinary learning and judgment; as if a man of any knowledge, thought, or reach, could not possibly believe the received opinions: And every one's a latitudinarian in their account, who has any friendship or intercourse with others, though never so firmly grounded in his own particular faith, as if the cause of a churchman was so very weak, that he must needs give it up to the first who keeps him company, and therefore those babes of the church are to be carefully kept out of harm's-way by their spiritual pedagogues. But, not to run into digressions, the dissenters (if they be not enthusiasts indeed) would doubtless rejoice to obtain favour or assistance from governors, statesmen, and politicians, (as such) though not of their persuasion, nay even from Mahometans or heathens, were they under their rule or dominion. And if some of the great men the memorialist names as their patrons, were guilty of the immoralities he lays to their charge, 'tis evident, from the experience of all ages, that an ill man in his own life may do excellent things for the publick, as a great pretender to religion may possibly be a great knave, a rapacious, cruel, or bloody tyrant, who either seeks to cover his villainies under this pious cloak, or imagines to atone for his impieties by formal and superstitious observations, of which we might produce numerous examples. The dissenters, therefore, are not to blame, if some of the late whig-ministers (as they are called) be neither finished saints nor heroes. They were all staunch for liberty of conscience, although

Page 20. Ibid in the memorialist's usual rhetorick, they can never be brought to submit to the sour rules and saucy encroachments of Edinburgh and Geneva. And might not good men prudently wink at the frailties of others in scraping for estates at home, so long as either to secure these, or from a nobler principle, they would be zealous and vigorous against our enemies abroad?

Now might I put in for adviser with the memorialist, I would conclude, from the consideration of such heterogeneous and repugnant interests, as the Deists, Socinians, Latitudinarians, and the several sects of dissenters, (supposing 'em all combined, as he's pleased to tell us) that neither the church nor the state ought to pursue any measures that will unite all these against them: Since they can never naturally agree, unless compelled by some necessity, which necessity must directly, or by consequence, touch 'em all; and therefore must be in itself a national grievance. It may well be some common oppression of all other men, to gratify the humour or ambition of a few, but cannot be any regulation for the publick good; for to all proper laws for restraining

murder, theft, adultery, and the like vices, the Deists, Socinians, Latitudinarians, and Dissenters, are sure to concur; and so will the very Atheists, (if such there are in the world) as in all things else where social virtue is concerned, and whereby they are to be gainers as well as others. Nor will they likewise ever oppose any thing, wherein they are not particularly to be losers, such as all laws in favour of the church, which tend not to the injury or detriment of others.

But that the clamorous and bitter zeal, which some men of late have expressed for the church, is nothing else but a struggle for places, and that the bill against occasional conformity was but a mere worldly project to monopolize all the places to a few high-churchmen, and a particular set of tories, is as true and certain, as commonly known and believed: And we are not to learn how the brains of projectors are disturbed, when their designs prove abortive, are discovered or despised; and therefore they must have leave to talk, though not to engross that commodity to themselves, giving others, at least, the liberty to laugh. And who can forbear doing so, when we are told the church is betrayed, ruined, and undone, because the queen has been pleased to make some alterations in her ministry, though she has not brought one dissenter into office, and that (without envy be it spoken) all things, both at home and abroad, are much mended, since her majesty has mended her ministry. This cannot be unknown to any man in Europe; for the characters of our several sorts of ministers are not more known at home than abroad, though they are not all equally loved, as they are not all equally feared in France: And which of 'em has done more hurt to France, or more good to England, given better orders at sea, or furnished readier supplies at land, the rest of the world is left to judge.

Is it such a novel thing then for the prince to change hands, without any other reason sometimes, but to gratify men of merit by this kind of rotation? Or if frequent alterations be the occasion of their complaint, why was no alarm raised when the queen changed her ministry before. O but the last ministers were the great patrons and as-
P. 33. 74.
 serters of the church at court, able ministers, and the steady champions of the church, the D. of B——m, the E——ls of R——r, N——m, J——sy, W——sea, D——rt, the L——ds Gu——rd, G——w——r, Gr——le, Sir E——d S——r, Sir G. R——k, &c. Here's the church's white list, or black list, which you will. And how bold soever the memorialist was pleased to make with certain noblemen's personal characters, even to the imaginary faults of their most private recesses, yet I frankly profess to decline his example, as being neither so little a Christian, not so angry, nor so desperate. Nevertheless, without having recourse to such uncharitable and improbable conjectures, or relying on common fame, which is often a common liar, I might quickly swell this discourse into an authentick history from materials of the most publick records, as the paper office, the council book, and the journals of parliament, where it will appear that some of these champions (if we be not mistaken in their names) are accused of being in the popish plot, and pensioners to France, for which crimes they were voted enemies to the king and kingdom. Some of 'em were employed in King James's high commission to destroy the church of England, and not far from the treasury when that prince levied money on the subjects by his own authority. The same, and others of 'em, were open enemies to the late Revolution, opposed the abdication of King James, and the bill for recognizing King William's title. These are undisputable facts, and so is the notorious corruption and bribery of one of 'em in parliament, with the behaviour of others in her majesty's councils, and of some in divers transactions both by land and sea. I cannot therefore but admire at the imprudence of the memorialist to give the least provocation of examining the merits of his able ministers. If their foreman the D. of B——m was to speak for them (for they want but one to make them the church's jury as well as her champions) we would grant the whole contents of the Memorial to be true, could he find half as many reputable men, in any one, or

in all the parties of the nation; that said he was a good Christian, a good subject, or a good man, without ever descending to particulars. Yet God forbid that the innocent should suffer in their reputations with the guilty, for a libeller's tacking their names together without their consent: For if (according to his own rules) we are to judge of the children by their parents, then my Lord Gower (who is not turned out as he reports) may possibly be mistaken, but can never be otherwise than a true English-man; or if understanding and virtue be the best foundations for the love of liberty, my Lord Guilford may (as it daily happens) lose his post for a time, but will be never the more for popery or arbitrary power.

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Reading the court for the church, and places for power, in many parts of the Memorial, the book will become a great deal more plain and intelligible: For if discipline (as some would have it) were the sole occasion of our disputes, then the controversy (one would think) might be managed with more order, or certainly with more decency, if we only disagreed about ceremonies. No, no, there's another matter at bottom: And if we are to judge of the tree by its fruits, 'tis something quite different from religion, which naturally produces goodness, meekness, peace, mutual forgiveness, and forbearance. However, 'tis not unserviceable to our constitution, that now and then (as it sometimes happened) men of arbitrary principles, or adherents to the popish interest, should get into a few employments, because the prince will thus have an opportunity of satisfying the people why the rest are excluded from any share in the administration. For their very scheme is founded on violence, and violent men will be driving things too hastily, and often to extremities. The least shew of favour makes 'em imagine that the government is going into all their measures, then they persuade themselves that those they did not love are in their power, and so they begin to use 'em as if they really were; which makes the nation quickly grow weary of them, to whose satisfaction they are immediately sacrificed by a wise prince, and their places filled with men of contrary characters.

Page 6.

The last charge against the present ministry relates to the affairs of Scotland, as if they were likewise ministers of that kingdom, or answerable for any transactions of the parliament there. The Scots make loud complaints (how justly I will not determine) that all the affairs of their country have been long managed by English councils, as if they had been rather a conquered province or colony, than an independent kingdom. And in England again we have certain persons giving so much countenance to that accusation, as to arraign our ministers for leaving the Scots at this juncture to act by themselves, or rather for assisting and advising them. But of all others I wonder least at this from the memorialist, who says, that every thing passed in Scotland at the desire of the presbytery, even to the endangering of the church and monarchy of England, and the disherison of its crown, and the immediate prejudice of its sovereignty: Whereas neither our court nor parliament make any such claim of sovereignty, all the records to that purpose being monkish forgeries, or violently and fraudulently procured, no prince having any right to dispose by will or deed of his kingdom, as a man may do of his proper goods and chattels. Nor can any valid pretence be drawn from ancient conquests, since as good authority may be alledged from their setting themselves again at liberty either by force or treaty. And fortuitous possession is but the right of reunion, that was trumped up some years ago by the present king of France, whereby he laid claim to all the countries formerly contained in the empire of Charlemain, or which belonged at any time to the Gallick crown, not considering to whom the Gallick crown itself belonged of old: For this right of reunion confounds all the titles in the world, and that of France no less than the rest, as much as Filmer's patriarchal succession from the eldest son of Noah.

But (leaving such fantastical disputes as I found 'em) since during the reigns of se-

veral kings and queens, we have treated with Scotland as an independent kingdom without any saving or exception; and since in the meanwhile they have exercised all the rights of sovereign majesty within themselves, without any protestation from us to the contrary, 'tis manifest that they were therefore as much at liberty, and had as plenary right to make conditions of government, as we on settling our succession on the most serene house of Hanover. Neither is it any disherison of our crown (to which the Scotch owes no subjection) that they have not yet declared for the same family with us; though I doubt not, after their limitations are completed, but they will heartily join with us for the mutual security of our religious and temporal welfare. The arming of their people is but the common right of all others that are free, and fitter for us to imitate, than meanly to fear, or ridiculously to blame. They are highly to be commended for obtaining their Act of Security, as the queen will be for ever extolled and admired for adding such excellent and inexpugnable fences to their liberty. We may reasonably suppose the advisers of her majesty's passing that act to have been Scottish ministers, who understood liberty, and loved their country; as who but such would intermeddle in Scottish affairs, otherwise than as they concern themselves in those of any other state or kingdom, whose interest has an immediate relation to ours? Yet if any Englishman had a hand in it, he ought to be proud of such natural politicks and so worthy a deed, eternally beneficial to the Scots, and no way injurious to the English; though we want not those among us, who either think no other nation deserving of liberty, or that none besides us have the sense to value and acquire it. It would be therefore no service to his design, if we had the clue, which the memorialist mentions, "to lead us to the knowledge of who were the advisers of the Scottish Act of Security;" but we would gladly learn how "the church here was disarmed at the same time the presbytery was armed in Scotland;" for the only men disarmed in this kingdom are such as will not swear allegiance to the government (which no doubt are the church he means) and the highest of all churchmen, the papists.

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The last dependence of the conspirators is upon Scotland, hoping from thence for troubles and confusion. Yet the true patriots there know very well, that many who join with them for limitations, do it only to keep 'em the longer from nominating the protestant successor, wherein they are not so weak as to refuse their assistance, foreseeing that these very limitations (if they be just and reasonable) will prove the chains hereafter to restrain their madness, as it has already happened in England. They likewise perceive that the same sort of men, who are against declaring for the house of Hanover in Scotland, pretend to be angry in England, that it is not done there; notwithstanding they fail not in both countries on all occasions to disperse their malicious insinuations against that family, as if, "like the late king," who they say was a foreigner, "educated out of the pale of the church" (the popish expression discovers the cloven foot) they should "come over without any extraordinary tenderness or regard for the church," though in their own church they have much the same discipline and ceremonies as in ours. But "'tis highly reasonable to believe," says the memorialist, "that when a prince educated in another church shall come to the helm, his servants and favourites, who will have the privilege of his ear in a peculiar manner, may take upon 'em the patronage of the dissenters, who will not fail to make stronger court to 'em, than the church will think to be their due (as it happened in the late reign) and so occasion such promotions, as may be of fatal consequence to the church." Granting the next prince to be educated in another church, though not in another religion, and that he may lie under any bias in relation to our religious controversies, 'tis much more reasonable to believe, that it will be rather in favour of the church of England, of which he's to be a professed member by the limitations of the crown, than in favour of the dissenters, who have neither such a liturgy nor ceremonies as he's accustomed to. All churchmen made due court to the late king (as well as the dissenters) except

Page 25.

Ibid.

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them who disliked his cause or title ; and sure he needed not the instigation of favourites, to make promotions fatal to such a church or faction : Which treatment is to be likewise naturally expected from the next successor, towards all who oppose or dislike him ; for opposition to the government, though not opinions in religion, is a sufficient reason for an exclusion from offices.

Here I would not be misunderstood, as if I meant every scruple about the prince's title, to be a good cause of keeping a man out of all employments in the kingdom, but only out of those where his being entrusted might create any possible danger to the prince or the publick : For well-meaning scrupulous persons, giving good security for their peaceable behaviour, may with safety to all others enjoy several offices, from which they will not be debarred by wise ministers, who are for reconciling as many as they can to the government, and for enlarging the foundations of it, by endeavouring to make all men whatsoever easy. And therefore, in some instances, the late whig-ministers did not act very conformably to the maxims of liberty, by excluding all non-jurant lawyers from the exercise of their profession without any distinction, which indeed was to take from them their daily bread. And (had it not been for some exasperating provocations) perhaps a method might have been found out to prevent the silencing of certain unsatisfied but pious clergymen, though they would not join with us in all the prayers of the liturgy ; when both the preaching of divines, and the pleading of lawyers, are performed in so publick a manner, that they can never prove dangerous to the state, without bringing themselves into the utmost hazard. To this might be added the impolitick device of double taxes, which create great heart-burnings among relations and neighbours, are of no use to the crown, and ease very little the rest of the subjects. On this occasion I cannot but wish that the late acts of indemnity had been more clear and general, and without so many clogs, which rendered them of little use to many, for whom they were probably designed a kindness, wherein the king's gracious intentions were frustrated by clauses, quirks, and cavils of law. Nor can the present ministers perfect the character they have justly obtained of wise, upright, and impartial, till (in order to reduce the moderate, and to render the obstinate inexcusable) they procure a more ample and intelligible amnesty ; without asking people before-hand (as we heard of another minister) whether they will please to except of it, which is to put those to the reluctant shame of accusing themselves, who without noise or notice would gladly lay hold of the benefit of such an act. Hence the high-churchmen may perceive the difference between the genius of the Tories and the Whigs, the latter believing that they may secure their own liberty, without robbing other people of theirs ; nor can any be displeased at the moderation we recommend to be used towards honest and peaceable non-jurants, but such as are high-fliers, though they may be no high-churchmen : And every minister ought to remember the old advice, "*Multis terribilis, caveto multos.*"

But to return to the affairs of Scotland ; the glory of uniting the two kingdoms is reserved for her majesty, in this most favourable conjuncture of imminent danger from abroad, and the dread of civil broils or contentions at home. All the good people of both nations earnestly long for such a blessing, and 'tis so much the publick wish, that they who think it their interest to render it ineffectual, dare only go about it by treacherously proposing an incorporate union, or the impracticable scheme of one parliament, one church, and one body of laws, which can never be accomplished, but by a total alteration of the constitution of one or both kingdoms ; nor can this be brought about under ages, unless by conquest, and would sooner produce anarchy than an union. Whereas a fœderal union is easy and expeditious, without all jealousy, disputes, or partiality, and confirmed by many ancient and modern examples, as particularly by the union of the seven United Provinces, where the laws of Holland and Friesland are

much more different than those of England and Scotland ; and by the league of the Achæan republicks, whose constitutions were yet more different than ours.

I. The union of England and Scotland does wholly consist, according to my humble opinion, in three most intelligible, practicable, and advantageous articles. Both kingdoms, in the first place, may still continue sovereign and independent within themselves, neither of them yielding or being obnoxious to the other in the forms of their courts, in the conferring of honours, or in preserving the precedence of rank at home, while they retain the stile of Great Britain abroad, as they do at present in that and some other points, having each their particular laws, usages, and customs, and ordering their own domestick affairs by their own legislatures, without occasioning any trouble or expence to the other, after the method of the seven United Provinces. And according to the example of the Switzers, they may have their several national religions, as at this time. But there must be in Scotland (as well as here) a law for tolerating all dissenters, how false or absurd soever in their doctrine, whose principles do no tend to the subversion of the government. Nor is it to be feared, that the Scots will endeavour to impose their discipline or directory upon us, unless we endeavour (as formerly) to impose our liturgy and our bishops upon them : For this was one of the worst advices ever given our kings, even had the Scots been of a different religion with us, and that episcopacy were absolutely necessary to salvation. But they were made to believe that presbytery was inconsistent with monarchy, whereof we find the contrary by experience. And that no bishop, no king, was neither a true nor a wise saying, is most evident ; not only from the kings of the heathens, but from those princes among protestants who govern without bishops, and who, though in their dominions they have no ecclesiastical degree above presbyters, yet are absolute and uncontrollable.

II. In the second place, let both nations agree to live under the same race of princes for ever, having but one interest, as they are to have the same friends and enemies, making peace and war by common consent, and maintaining fleets and armies (to defend their subjects, to offend their foes, and to assist their allies) supported at the publick charge of both, according to such proportions, as shall be agreed by commissioners appointed to state that matter, with respect to land-taxes. For as to customs, excises, capitations, and such other publick duties, they must be equally laid (for keeping an even balance) on all goods and persons concerned in both kingdoms : And since they are to be levied or collected by the officers of one and the same prince, for the same ends and purposes, there will be no fear of fraud or partiality in favour of one to the prejudice of the other. The civil list of each kingdom, and the particular assessments relating to their several private necessities, being (as was said) left solely to their own discretion, there may be a council appointed, vested with such powers as shall be thought expedient, and consisting of an equal number of persons of both nations, to digest, prepare, and adjust those other matters of common concern, for the information of the prince, and of his respective parliaments.

III. In the third place, since this union (in the regards above-mentioned) is for the mutual security of both nations, as well against their common enemies, as against the invasions or foreign alliances of any one of them against the other, so let there arise from it a common advantage in an equal distribution of privileges and immunities to the natives of both countries, and also in the communication and protection of commerce. Let us not hesitate, therefore, to let the Scots come freely into our plantation trade, whereby those particular merchants may possibly be losers, who engross that part of the world to themselves ; but the plantations will flourish infinitely more, as the profits are infinitely more that arise from the industry and consumption of many than of few, which is unanswerably proved by the ingenious Dr Paxton. The nation will likewise be gainers in proportion, the proprietors being all English, and London (the centre of trade, and seat of empire) attracting all the riches and expence of the three

kingdoms into its capacious bosom, by a regular and necessary circulation. The cheapness of food and labour will quickly be at an end in Scotland by the increase of trade and people; and the commodities and manufactures of Great Britain (all which things I would have also understood of Ireland) being thus united as well as their inhabitants, councils, and power, we are not only an equal match at least for the greatest prince in Europe, but must over-work and under-sell all other nations of the earth, which, in matters of trade, is the utmost we have to wish. Our present view will not let us enlarge on the other innumerable benefits that will naturally flow from such a union to the Brittannick islands, which are truly a little world by themselves, and may thus not immodestly vie with the greater world; but these seem to be the principal things, and all the rest are easy reduceable to this model. Nor ought any Englishman, who regards our present safety or future tranquillity, oppose so practicable and desirable an union.

We have done at last with all the sophistry and aspersions of the memorialist against the queen, the church, and the ministry of England: And defended all sorts of dissenters against his misrepresentations, not only as obliged by the rules of truth and justice in relating matters of fact, but also on such grounds and maxims as were thought most agreeable to our own state, and to all other kinds of free governments. But if any one is curious to know what the high-churchmen propose to do, in case (as it's more than probable) that their memorial is detested by the people, and neglected by the court, 'twere easy for a man of no greater reach than his neighbours, to tell what is fittest for 'em to do in such a condition. Yet in this particular, which concerns them so nearly, they are as much in the wrong as in every thing besides. For, contrary to all their reiterated professions of passive obedience to princes, notwithstanding their continual reproaches of rebellion against the dissenters, and (what they ought first to consider) in spite of the despicable number of their church and party, yet they are desperately resolved to get all up in arms, to seize upon the government, to assassinate or imprison the ministers, and in one word, to rebel. Some body not acquainted with their temper, or that has not read their memorial, will be apt to think that we make 'em madder than they really are, notwithstanding the perpetual disappointment of all their projects and conspiracies. But putting the reader once more in mind, that they mean themselves by the church of England, as they do all moderate men by dissenters, we shall present him with a long passage of the Memorial, with studied and repeated expressions, and not warm or hasty words slipt out by chance, nor phrases of an ambiguous signification. "If the dissenters will be disobliged (says the memorialist) if they are not put into places of authority, and the church of England will be disobliged if they are, whence may the greatest inconvenience arise? Perhaps our wise men think themselves secure in the passive principles of the church, against any resentments on that side, and therefore bend all their application to gain t'other, whose temper and principles are more mutinous. If this be their true motive, they may be simple well-meaning men, but must be wretched politicians. The principles of the church of England will dispose men to bear a great deal, but he's a madman that tries how much. For when men are very much provoked, nature is very apt to rebel against principle, and then the odds are vast on nature's side. Whether the provocation given to the church of England may not, if continued, be strong enough to rouse nature, some of our statesmen would do well to consider in time. For though the church is not to be wrought up to rebellion, yet they may be so alarmed as to secure themselves at the peril of those ministers who give them the alarm. Nor is it to be expected that they should long bear to be thus used, and see a party that they know seek their ruin, courted at their expence. But the treasurer is wise, let him therefore look to that, and maturely weigh who are to be provoked at this juncture. The matter is plain, and let the treasurer timely look to it, before he be secured by

those who are so highly provoked, who can bear so little, and who are so apt to be roused, having a king of Brentford, with an army in disguise to back them."

But of all the weaknesses the memorialist has shewn, the very greatest is, his imagining that ever any wise man thought himself secure in the passive principles of the church, when all manner of men know the rise and occasion, as well as the whole history of that monstrous doctrine, from Sibthorp and Manwaring, down to the abdication; none being ignorant for what ends of ambition, adulation, and avarice, it was invented, in what popish and arbitrary cabinets it was promoted, and by what humble saints it was the most zealously preached. No, no, take our word for it, we know but one simple well-meaning man, whom it's easy to guess, that was ever deceived by such wretched politicians. We grant that the high-churchmen's nature is very apt to rebel against their principles, but we deny that the principles of their church dispose 'em to bear a great deal, since they own themselves that the odds are vast on nature's side; for we low-churchmen believe that Christian principles ought to correct and subdue nature: Wherefore we think principles that have so little effect to be little worth; and indeed all men of sense or honesty have abhorred their shameful prevarication, and laughed from the beginning at the inobservance, absurdity, and hypocrisy of passive obedience. They render their cause still more ridiculous by their distinctions, as if securing themselves at the peril of the ministry (which is securing the ministry at their own peril) were not rebellion, and pretending they cannot be wrought up to rebellion, at the same time that they confess their nature may rebel against their principles, and talk of being provoked, roused, unable to bear long, and that they are mad who would try how much they can bear. Madmen indeed; for if these be not hopeful dispositions to rebellion, I know not what are. But are they not honester by far, who profess resistance on some occasions, than such as profess passive obedience on all occasions, and who yet are vastly more apt to rebel than to obey, since the odds are vast on nature's side against their principles.

Another of their distinctions is more to the purpose, and I wish as heartily as any of 'em, that it were by all the people of England most diligently observed. "Perhaps the wisest step the friends of the church could take towards her security," says the memorialist, "would be to distinguish nicely between those that are of the church only, and those that are both of and for the church," where we understand, those that are of the church only, to be such as prefer our liturgy, discipline, and doctrine to all other institutions, though they are against persecuting any that disagree with their opinions; and therefore are members of the church of England only, as they think it the best reformed church, but not for any politick end of temporal grandeur. Those are both of and for the church, who likewise profess themselves members of the church of England, which in their account is nothing besides the hierarchy and the ceremonies, but especially the revenues and the monopolizing of offices by the sacramental test, which makes 'em zealous for its pomp and power, and are for compelling others to be of it, though they seldom come into it themselves. Wherefore we'll take the liberty to mend the distinction unto those that are only of the church, and those that are only for, but never of it, nor in it.

A little while since we left the high-church-men very much provoked, and resolved not to bear any longer; but when they are thoroughly roused, how is it (think you) or by what force will they be able to carry on their intended rebellion, so perilous to the present ministry? We frankly acknowledge it was a considerable time before we could come to any resolution in this difficult and intricate case, the game of the pretended James the Third being desperate, the French king so earnestly suing for peace by the mediation of the meanest cantons of Switzerland, their own party being reduced to an inconsiderable remnant, and the real great friends, patrons, pastors, and protectors of the church of England, being all against 'em. But that peerless politician the memo-

rialist has kindly communicated the project of raising a spiritual army for carrying on his holy war; and, to do him justice, he's the first who concerted the operations of a campaign in a manner which a world of people have rather wished than hoped, namely, that princes and divines would be pleased to fight their own battles. He proposes then that "the lower clergy (who want only to be headed and countenanced) may be encouraged to exert themselves in defence of that church from which they receive their bread; and that they may be instructed to shew their respective congregations the innumerable evils that flow from that dangerous, but too much received position, that there ought to be no distinction among protestants." Now here's an army modelled, paid and instructed. I have read of a general of the Franciscans, who once offered the pope thirty thousand, all warriors of that seraphick fraternity, to fight against the Turks, and yet that their attendance should not be missing in the ministration of holy things, there would be so many left behind. I have likewise heard among ourselves of the guide of the inferior clergy, but never yet of their general, and much less that protestant priests were to fight by any other weapons except syllogisms; so that in fine, we know now who are the church's janizaries, as well as the church's champions.

But why should we talk of protestant priests, when their principal instruction is, to shew their respective congregations the innumerable evils that flow from that dangerous, but too much received position, that there ought to be no distinction among protestants? We appeal to all mankind, whether this position can be dangerous to any other but papists, and we thank God it's become a position so universally received. For this sort of union among protestants, and not the vain design of a comprehension, has been long the object of all good men's wishes, though of few wise men's hopes; nor is there any thing more frequently occurs in their books or discourses, than that there ought to be no distinction among protestants, who are all united against the idolatry, superstition, and tyranny of the popish church, though differing among themselves about the nature of church government, the modes or circumstances of worship, the prescience and decrees of God, with certain other speculative opinions, of no concern to a Christian life, and in which things it is impossible for men to agree. Nor is it necessary for any ends of the gospel, that they should all have the same notions, provided they have but mutual charity, forbearance, and communion. Any man therefore is desired to produce a worse maxim out of the writings of the papists, whose interest and endeavour it has constantly been, to divide protestants before they could destroy them. And if the most finished politician among the jesuits had been prescribing methods for extirpating the northern heresy, let it be considered whether he would not first of all advise the *congregation de propaganda fide*, to exasperate the protestant sects against each other, which they have often done by such emissaries as the memorialist; and whether, as the ground and reason of this advice, he would not say that innumerable evils have flowed from that dangerous position of many protestants, that there ought to be no distinction among them. One of those innumerable evils is, that if they be for making no distinction, they'll be of course for toleration. Another evil is, that they'll be for a brotherly intercourse and occasional communion. A third evil is, that they'll be all for law and property against arbitrary power. A fourth evil is, that they laugh at passive obedience and non-resistance. A fifth evil is, that they'll be for the advancement of learning and knowledge, and therefore against partial restraints on the press. And a sixth evil (that I may compleat half a dozen among innumerable) is, that they'll as one man (the pretenders to the name of protestant only excepted) join their hearts and hands against the pope, or any popish prince, who can be the only gainers by their divisions; and that they'll here in England with their lives and fortunes maintain the right of the protestant successor, who, they are sure, will make no distinction among 'em as protestants and Englishmen,

no more than is done by her present majesty : But will (after her example) protect the church of England in its lawful dignities, privileges, and emoluments, and continue an impartial liberty of conscience to all protestant dissenters. This glorious prospect is the greatest of those innumerable evils, which by the memorialist are observed to flow from that dangerous, but too much received position, that there ought to be no distinction among protestants.

It will be said, it's probable, by the high-church-men, that heading, countenancing, encouraging, and instructing the inferior clergy, were meant as to their informing their respective congregations concerning our present differences. And, allowing this to be true, from the other seditious instructions that are given 'em in the same place, yet 'tis a very insufficient apology : For what have they to do with whig and tory, with court intrigues, or ministers of state ? Is not reforming men's lives, and bringing souls to heaven, employment enough for all their time ; but they must find leisure to be officiously intermeddling in matters they don't understand ? Does not all history shew, that they are thoughtless, precipitant, troublesome, bungling, and wretched politicians ? Are they not (to the shame of their profession) made the readiest instruments of all ambitious and discontented persons to embroil states ; to raise jealousies, murmurs, and tumults against lawful governments ; to stir up wicked or weak princes to rapine, oppression, and persecution ; and to engage whole churches and nations in bloody civil wars ? The very deists have frequently owned, that the strange turns and changes of the clergy within the compass of a few years, their becoming the *Boutefeus* and incendiaries of all factions, more assiduously preaching and printing of politicks than religion or virtue ; their unnatural jars and quarrels among themselves for trifles, with their implacable and dishonourable treatment of those they do not approve, did prevail with them above all other motives to reject the authority of divine revelation, being strongly persuaded, that the clergy gave no credit to the gospel, since they observed it so little. This is a poor argument ; but poor as it is, the ministers of Christ should not give any occasion for it. And the clergy ought likewise most seriously to consider, that (whatever figure they make in their own opinion) they are in reality but the contemptible tools of the worst of men, when once they quit the duties of their function ; and that when the turn of designing persons is once served, they commonly cast off with scorn their importunate priests. Thus Oliver Cromwell abandoned the presbyterian ministers in England ; and a much better man, William, the old wise Prince of Orange, when the ministers reproached him with their services, and thought they could never enough be rewarded with power, he procured wholesome laws to curb their insolence ; as they, on the other hand, endeavoured to make him pass for an atheist in their pulpits, notwithstanding he had so gloriously established civil liberty and protestant religion in the seven United Provinces. His great grandson, who laid the same obligations on England, met with the like returns from many of the clergy. But in the wise republick of Holland, a staff and a pair of shoes for his journey, are sent to any ecclesiastick that presumes to meddle with state affairs. How James the Second deserted the passive obedience preachers is fresh in all men's memory ; and 'tis to be hoped, that our inferior clergy will learn more wisdom from the contempt which their behaviour in Charles the Second's reign drew upon their character in the minds of the laity.

The best on't is, that let the inferior clergy receive never so many seditious instructions, and from whatever hands, yet we have nothing to fear from the man who sets himself at their head, and acquires the inferior dignity of being their general, though his name were *Celsus*. Our priests are not such saints, and our people are not such fools, without one of which the inferior clergy can never have a tolerable influence in any country. Indeed, where the people are dissolute and ignorant, wholly depending on the clergy for their information, as well as for the absolution of their sins, there

their spiritual guides can raise dangerous commotions, and lead their flocks into any flagitious attempt, that they'll please to sanctify with the names of religion, or the church, or the cause of God. But where the clergy, by their learning, lives, and doctrine, do justly acquire the love and veneration of the people (as such divines can never fail of it) their influence is more to be desired of all good men than feared, as most certainly tending to promote holiness, peace, and universal love. We have therefore great reason to be very thankful to God in this respect, as having never enjoyed before, a set of more learned, moderate, or orthodox bishops, the magnanimous champions of the protestant cause, and the most exemplary preachers of Christian charity. Our inferior clergy likewise want not many excellent persons of eminent abilities, who are shining lights amongst a crooked and perverse generation; the animosities artfully-raised among 'em by the common enemy are much allayed; all sourness and narrowness of temper infused from the same quarter visibly decays; their moderation increases in proportion with their great learning, which accomplishments, gifts, and graces, will truly render them the glory of the Reformation.

Civil Comprehension, &c. In a Letter to a Friend, from one who wishes the general Good of England, and particularly well to the Established Church.

By Charlwood Lawton, Esq. 1705.

SIR,

THOUGH I hope I shall always endeavour to preserve that character you give me of loving liberty, yet you will find by what follows, how absolute an authority I allow they shall personally have over me, who do me the honour to admit me into their friendships.

I am not ignorant how difficult it is, when all sides seem to be exasperated, for any man to offer any thing acceptable; but my intentions being to serve, and not to entertain, I shall be less concerned at censure.

And being as much satisfied that you wish well to England, and all its dependent interests, as that I shall not differ from you in those inclinations, I shall, according to your command, unbosom myself with all imaginable freedom, and with as little regard as you can expect to any of the partialities that now reign.

To begin; liberty of conscience must be a natural right; because, to worship God with sincerity of mind, and according to our own convictions, is a natural duty.

The Christian religion is so far from invading the one or superseding the other, that the laws of the gospel, the principle of love, and the recommendations of charity, enjoined by Christ, recorded by his evangelists, and interspersed throughout the epistles of his apostles, very evidently confirm that indefeasible prerogative, which our Maker hath reserved to himself over the souls of all men. The apostles did not know what spirit they were of, and were far from being come into that of the gospel, when they

¹ God is not worshipped, but affronted, unless our hearts and understandings accompan your adorations.—
Orig. Note.

would have had fire called down from Heaven, even upon those who opposed their Master.

That love, which is the characteristick of the disciples of the meek and merciful Jesus, does not allow us to destroy even the enemies of God for being so. Though faith and hope are admirable graces, yet charity is still greater; and without it, though a man should give his body to be burnt, rather than be a renegado from truth, yet that religious steadiness would not procure the crown of martyrdom, would avail nothing.

The principle of loving one another, and the privilege of serving God according to our own discoveries, and the ultimate results of our own understandings, are so plainly transcribed in holy writ, that the contrary opinion of the reasonableness and lawfulness of persecution, could never have been introduced, had not the Christian world been over-clouded by the dark times of popery.

When the laity were not only denied, but could not read, much less understand the scriptures, it is no marvel that persecution was introduced. The papists of those times lived under the entire dominion of true and genuine priestcraft, they subjected themselves to, and made it a part of their religion to take the scriptures in the sense, and implicitly to believe the false comments of their guides.

They are still too blindly governed by their priests, and therefore the persecuting principle is not at this day so monstrous in papists, as in those who pretend to judge for themselves, and enjoy greater light.

Their belief of infallibility, and that it is impossible to be saved but within the pale of their own church, makes punishment about religious matters seem in the papists, to come nearer to compassion, to look less like cruelty, than it can appear in protestants, who all declare against infallibility, and own that an honest well-meaning man, who keeps himself in a teachable disposition, may be saved, (though he runs some hazard) notwithstanding that he should not get rid of all his errors.

And is it not wonderful, that nevertheless all the several sorts of reformed churches (none of which ever failed in their turns, when they were undermost, to plead for toleration) have been, when in prosperity and power, guilty of persecution?

I said all protestant churches have pleaded for toleration. To prove it, I need on one side mention only that excellent book written by Bishop Taylor, called "*Liberty of Prophecy*." That learned prelate was as entirely devoted to the protestant episcopacy of the church of England established by law, as any man of that order ever was, or can be: And yet no man can write a better book than that which I have named on this subject.

After that great and devotional man, I need name no other authors of his and our own holy church, upon the point of toleration.

As for the dissenters, there is not one sort of them that has not written against persecution. Indeed their treatises are innumerable; and though many of them are indigested ones, yet they have all said and written enough to make their contrary practices shameful.

Nay, the papists themselves have of late years here in England, in conversation, talked (for writings they have none, as I know of, of that kind, under any of their names) for liberty of conscience.

I would not be thought to prove, from what papists say, that it is acknowledged universally to be a right of nature. Any thing upon this head will come from them with an ill grace, till they send missionaries into Spain, into France and Germany, and all other popish countries, to convince those who domineer there over the minds of men, that they act contrary to the rules of common Christianity.

When the papists can set aside the inquisition in Rome and Spain, and other places, when they have stopped the violent persecution in France, and when they have brought the emperor to give good terms to the Hungarian protestants, they will ap-

pear fitter advocates in the cause of civil and religious liberty. But we should not imitate the inhumanity and wickedness of the papists, no not in our treatment of that sect itself.

And perhaps the reason why the free-thinkers and best natured men amongst the Romanists, have not been permitted by their church at any time to publish any thing on this controversy (which it is a scandal to human reasonable nature, that it should be one) is because, though particulars of it have suffered for their persuasion, yet the main body of the Roman have remained a triumphant church, and in persecuting circumstances.

Liberty of conscience naturally introduceth moderation, which virtue hath of late by some been treated too jocularly, and by others made use of as a cant. The runners and writers for the whig and dissenting party, have so furiously inculcated moderation, that they have too justly rendered themselves suspected of covering, under that specious word, some sinister design.

Since moderation is the doctrine most alarode, why should it only be pressed upon church-men? Let our presbyterians go into Scotland, and preach it to their brethren there. But the presbyterians are advocates, very moderately qualified to maintain the cause of religious liberty. They are, next to the papists, the unfittest propagators of it, and of all the sorts of protestants they are the most and the only dangerous enemies of our church. They are, next to the papists, most to be guarded against. If the papists believe a foreign head, the presbyterians think a national church necessary, and ours idolatrous; and, as such, have formerly covenanted against, and pulled it down.

And yet I must say, that whoever declares he would be a papist as soon as a presbyterian, either knows not the controversies betwixt the several churches, or speaks without thinking, or is already a papist in his heart.

But whoever says, we are more in danger of the presbyterians, than of the papists, calculates according to political arithmetick, and numbers the people of this island.

To say the truth, the making us extravagantly apprehensive of either sect, is a measure suited to the use of Beautefeux. Our brave protestant troops, and our as gallant protestant sailors, will, under God, defend us from all the foreign assistance the papists can get; and if we make it not the interest of other dissenters, the presbyterians may wish, but can never again compass, the destruction of our church.

If men had moderation enough to come into a civil comprehension, neither our church, nor our civil rights, nor toleration, could ever be destroyed.

I say, a civil comprehension, for a religious one is a spiritual hodgepodge. It is an insincere project; for where some men give up what they believe, and others submit to what they don't believe, they, by such a sort of agreement, make a gallimaufry of religions, that is ridiculous, hypocritical, and wicked on both sides.

Certainly an ecclesiastical comprehension is a dishonest design, would lose all the spirit of our own church, and destroy all those of the honestest part of the dissenters, who would not, cannot be comprehended. It is better the one should remain established, (fenced about with all its own mere spiritual powers, over its own subjects in spirituals) and the other continue tolerated churches, and our carriage towards both should be like what the large souls of the pagan Romans have left us an example of. Those honest and celebrated heathens admitted all the gods of other countries, enquired not into the belief of those that were their subjects, and yet they paid a particular respect to their own gods, which was their national religion. There the national

¹ Men are to blame however to charge them over and above with the murder of the king. All histories of those times tell you of their appearing against it. We should not belie either presbyterians or papists, Jews or Turks; nor, when they do right, search for reasons to destroy or lessen their merit.—*Orig. Note.*

religion was never insulted by those who differed from it, nor were inquisitions set up over the minds of their subjects. There the government was preserved by laws against crimes that affect society, and not by disputable oaths, and an entire persuasion of the necessity of the ceremonies, and holy mysteries of their established church.

A man might there be a stoick or an Epicurean, and yet equally interested in, and capable to defend the publick liberty, be equally an ornament in times of peace, and equally a champion in time of war.

When shall we come into these large and generous notions? When shall we be sensible of our own narrowness? The dissenters might be now sensible; for the sacramental test, of which they complain, and which now turns upon them, was obtained by the great patrons of their own party, and was opposed by those orthodox bishops who were at that time most in the interest of the church; and the reasons the bishops then gave upon the debate, were because it was a profanation, a prostitution, and diminution of that most sacred mystery of our religion. Tricks ought never to be used, and seldom prosper. That men may come into a more universal spirit, I will lay before both parties some of the tricks that have been played within the memory of most of the men, who are now capable of making a judgment of what is true policy. But that I may speak within memory, I will not go farther back than the popish plot.

To say there was nothing in the popish plot, and to believe all that was sworn, seems to me equally ridiculous. I know not how far the generality of the papists went into that plot, nor what it was; but I think that almost ever since the Reformation, that sect has been so very hardly used, that it is no wonder if a great many of them have dipt into every plot that has been set on foot by their faction. Ill usage will make nature rebel both against and according to principle. If men are treated like outlaws or banditti, self-preservation will make 'em combine together.¹

But what advantages did the whigs make of what Mr Coleman's letters gave some ground for? They voted whomsoever they pleased enemies to the king and kingdom. They were as peremptory then (though the court offered a good bill of limitations) that nothing but the bill of exclusion could secure our rights and religion, as they say the high-flyers are now, that nothing can preserve the church, (though other securities may be found out) but the bill against occasional conformity. The whigs then were willing that a vote of the House of Commons should suspend laws that were unrepealed; and their whig House of Commons imprisoned the subjects with a witness.

Now the tories must come in for a share: They handed about abhorrences, and after the dissolution of the Oxford parliament, they set on foot such addresses, as honest men might be ashamed of.

After this, the whigs entered into plots. Of the Rye-house design, I suppose every worthy man has an ill opinion, but what the noble Lord Russel, and some others of his friends, engaged in, no man need disclaim, who thinks resistance in cases not provided for, and where the constitution is in imminent danger, is lawful; for, upon the disputes that were betwixt the people and prerogative, those who were denominated tories (before that plot) fell in with an excessive exercise of the indisputed power of bringing *quo warrantos* against corporations; and they went to work with every corporation whose election of members the court did not like.

¹ In Queen Elizabeth's time, the generality of the papists would not (though the queen had some time before taken upon her the headship of the church) join in Morton's rebellion, but sent his letters, and the persons who brought them, to the queen. *Cambden*, p. 115.

The bull sent by Pius Quintus against Queen Elizabeth, was misliked by the modester papists, and condemned as a vain crack of words. P. 126, 127. *Cambden*.

A Roman catholick, named Bishop, (notwithstanding all that the hot-headed priests could say and do) wrote soundly against Pius's bull. *Cambden*, page 240.—*Orig. Note*.

This church-flattery the fanaticks turned upon that party about a year after King James came to the throne ; for as soon as the indulgence was put out by that unfortunate prince (who was betrayed by passive pretensions, and fanatick flatteries, as well as by false ministers) a great many dissenters (for all ought not to be charged) regulated cities and boroughs, according to the power the tories had thought fit, when they received their new charters, to invest the crown with.

At the Revolution, the church party were resolved to come in play. Though they went backward and forward, they pretended merit, oddly got into places, and as awkwardly discharged 'em. They were, because they would keep themselves unsuspected of Jacobitism, very violent in their administration.

But in a short time the whigs justled them out. And now, how did the whigs behave themselves? How many times since the Revolution has the *Habeas Corpus* writ (of equal date with *Magna Charta*) been suspended? How ingenious have the whigs been to exclude freeholders from votes, to make a party-representative? How industrious to monopolize the government, by framing of oaths, which they hoped those who were for the church of England would not take? Though, to shew how little security oaths are, those oaths have been swallowed almost by every body, and as many more would be swallowed; so that, by framing of oaths from time to time, the whigs and those who would be reckoned saints, do but shew a wanton disposition to damn their tory fellow-subjects.

How fond were the whigs of bills of attainder, till at last one of their own creatures, Mr W——r, was caught in the snare?

Besides all this, many of the whigs opposed the Triennial Bill, the bill for trials in cases of high-treason, and were for a standing army.

I will not say that the church-party have been much more moderate. I wish that some impeachments, and a great many votes, may not be remembered to their disreputation.

With regret I repeat all this. I will not carry on the detail, nor remark too severely upon these transactions of both parties. I don't recite them to provoke, and make the gap wider, but to shew that the people of all sides have done enough, in their turns, to stop each of their mouths against one another, and ought to pass now an act of real oblivion, and (with reverence to the ministry be it spoken) it is the interest of the queen to give an indemnity, and the interest both of queen and people to come into a civil comprehension.

Here I must tell the whigs, that if they intend moderation, they must revoke their own severe edicts against those who scruple oaths: They must make the quakers affirmation easier, than they would let it be to that people, and (though they have a fondness for the present bishops) help them in the matter of tithes, provided that the church has any one sufficient remedy for the collection of them.

These, and some other things, are what the whigs ought to do on their part, by way of accommodation: For how unreasonable soever the tories think the aforementioned laws, they will not venture to move any thing of that nature, as a step towards reconciling the publick differences; because if the tories stir in such things, the Billingsgate writers of the whig party, who are pleased to take great liberty, will, according to their gradation of nick-names, represent those tories as high-fliers, popishly affected, papists, and French pensioners.

If there is room to make the dissenters easy, if any reasonable thing is to be done in behalf of them, it is as much the interest and duty of those that are called tories to appear forward in settling all things upon a true foot.

Property seems to me the natural qualification of trusts and powers, and much better than any religious tests; men who have good estates are their own security; but

it will be no prejudice to men of honour and reputation, if their friends are to be their pledges.

This sort of qualification, and this sort of security (which is the only true balance) would hinder many (especially knavish broken tradesmen) who now get into places, from being competitors, and would lodge authority in natural and sure hands. No necessitous, no dissolute man, would find it easy to get into preferment. Men would be preferred, because they had a stake, and because they were, in some degree, elected by those who are themselves in good circumstances.

But I would not be mistaken; I don't here suppose that men who are eminent in their professions, should not be advanced to the honours, and dignities, and recompences of those particular professions in which they are eminent, before they have amassed great estates.

I have started several things, but will not take upon me to pursue them. I leave that to those who have opportunity, and are in power. I desire to do no more than humbly to intimate, that if the government expects to quiet all parties, by making use only of one, it will be out in its reckoning.

And yet, whilst the sacramental test is thought a necessary qualification, in my humble opinion, it should not be eluded; for, whatever it may be, it looks like hypocrisy, and the appearance of hypocrisy is not to be encouraged, either by church or state.

Till we come to settle upon the foundation of property, we shall be at the mercy of factions. The whigs will say the tories intend to destroy our civil rights, and set up arbitrary power, though God knows, many of our modern whigs have deviated as much from their pretended publick spirit, as the tories have from their passive obedience.

On the other hand, the tories will say, that the whigs will introduce a commonwealth, unless the crown will tyrannize on their side: This is, and will be, what they will say of one another.

But it is full time to make an end of all their scolding on both sides, and to consider whereabouts we are. I don't determine whether it was a wise measure to begin this war, nor will I criticise upon the management of it; but, since we are entered into the war, it's wretched policy to continue our feuds: If the continuance of the war is necessary, we by feuds encourage the French king (to whom good Englishmen of no party, whilst he hovers over every kingdom, aspires to universal monarchy, and minds only his own personal interest, as was plain by his giving up the unfortunate King James at the treaty of Reswick, &c. can wish well) and our feuds amongst our selves will dispirit our allies.

If we would have peace, we must not look as if we were in danger of intestine broils. That is not the way to keep our confederates, and get good terms for ourselves; nor to continue us, what we used to be, the arbiters of Europe.

But another reason why I wish our domestick differences were composed, is because I would not have any thing like a reason, like a colour, or pretence for a standing army.

In the posture we are in, whilst all sides are so heated and inveterate, whilst reason is no longer heard, but the incendiaries of parties can, on every occasion, set us together by the ears, and put us into a flame, it will almost seem reasonable to continue (when the war is over) veteran troops, to guard us against one another; and, I must confess, I think a standing army and civil liberties are as inconsistent as any two things in the world can be.

I believe as well as most men do, of this ministry. I could enlarge upon their bright qualities; for I must really own they have some; but I would not trust the English rights with the best set of men in the world, if those men can keep armed janiza

ries in times of peace (with the consent of either of our struggling parties) in pay, to make their will go for our law.

And in a word, I had rather our convulsive humours were well disciplined, than have any disciplined force (in time of peace) amongst us.

Thus, at your instance, I have scribbled down some of those thoughts which occur to me in relation to the common welfare of Old England; and I readily submit to your judgment to whom, and how far, they shall be communicated. If they contribute towards taking men off from following their leaders too implicitly; if they make men attend to the expedencies and reasons of whatever is proposed, rather than go in with it for the sake of him or them who bring it upon the stage, I shall believe my time well spent in laying these things before you. Methinks, when we have seen so many talk for and against things and men, merely to get into posts, we should begin to be weary of servilely running in with the notions of any of the demagogues of our age, who dictate to us but for themselves, and make often a mighty noise with what they themselves know is of no use, and are at bottom not at all concerned for.

Till we are able to withstand the influence of self-interested harangues, which are christened with the title of publick good; till we are emancipated from this blind obedience, forgive me, if I say that we love, and allow of, and are governed too by a sort of popery in civils, the domination of our state teachers.

If this freedom is not offensive, perhaps you may hear farther from,

Sir,

Your obedient humble servant,

N. N.

October 15, 1705.

An Abstract of a Treatise, entitled, "Free Parliaments:" Written by Sir Humphrey Mackworth, in Defence of the Proceedings of the House of Commons, in the Case of Ashby and White. With some Additions in Defence of their Commitments, and other Proceedings on the late Writs of Habeas Corpus, and Writ of Error. 1705.

The following short statement of this memorable case is given by Smollett.—“The remaining part of this session was consumed in disputes and altercations between the two houses, on the subject of the Aylesbury constables, who were sued by five other inhabitants for having denied them the right of voting at the election. These five persons were committed to Newgate by order of the House of Commons. They moved for *Habeas Corpus* in the King's Bench; but the court would take no cognizance of the affair. Two of the prisoners petitioned the queen that their case might be brought before her majesty in parliament. The Commons, in an address, besought the queen to refuse granting a writ of error in this case, which would tend to the overthrowing the undoubted rights and privileges of the Commons of England. She assured them she would not do any thing to give them just cause of complaint; but this matter relating to the course of judicial proceedings being of the highest importance, she thought it necessary to weigh and consider very carefully what might be proper for her to do in a thing of so great concern. They voted all the lawyers who had pleaded on the return of the *Habeas Corpus* in behalf of the prisoners guilty of a breach of privilege, and ordered them to be taken into custody. They likewise ordered the prisoners to be removed from Newgate into the custody of their serjeant-at-arms, lest they should have been discharged by the queen's granting writs of error. The prisoners, finding themselves at the mercy of the exasperated Commons, petitioned the Lords for relief. The Upper House passed six different resolutions against the conduct of the

Commons, as being an obstruction to justice, and contrary to Magna Charta. The Lower House demanded a conference, in which they insisted upon the sole right of determining elections; they affirmed, that they only could judge who had a right of voting; and that they were judges of their own privileges, in which the Lords could not intermeddle. The Upper House demanded a free conference, which proved ineffectual. New resolutions were taken by the Commons, diametrically opposite to those of the Peers, who, on the other hand, attended the queen with a long representation of all the particulars relating to the affair. She affirmed, that the proceedings of the House of Commons against the Aylesbury men were wholly new and unprecedented; that it was the birthright of every Englishman, who apprehended himself injured, to seek for redress in her majesty's courts of justice; that if any power could controul this right, and prescribe when he should, and when he should not, be allowed the benefit of the laws, he ceased to be a freeman, and his liberty and property were precarious. They requested, therefore, that no consideration whatever should prevail with her majesty to suffer an obstruction to the known course of justice; but that she would be pleased to give effectual orders for the immediate issuing of the writs of error. The queen assured them that she would have complied with their request; but, finding an absolute necessity for putting an immediate end to this session, she knew there could be no further proceedings on that matter."—SMOLLETT'S *History of England*, vol. ii. p. 44.

THE grand question in the case of Ashby and White, on which all the other questions concerning the five Aylesbury men do depend, is, Whether the House of Commons have not a privilege to be sole judges of the behaviour of the sheriffs and other officers, who are to take the poll on the election of members to serve in parliament, in all cases not particularly provided for by act of parliament; that is, whether the commons are not sole judges of the rights of their own electors, so far as relates to their right of voting in election of members to serve in parliament, and of determining who are, and who are not, qualified to give their votes in every such election. And whether the officers that take the poll have done their duty in that particular or not: For if the commons are sole judges in these cases, then the determination thereof cannot be brought into Westminster-Hall by any action at common law, nor before the House of Lords by writ of error, or otherwise; neither can the commitments of the Commons for such a contempt to the jurisdiction, and breach of the privilege of the House of Commons, be discharged by any other authority besides their own, they being sole judges in the case, exclusive of all others.

The Commons do not intermeddle with the rights of their electors, in any other respect whatsoever. If an elector be injured by another, either in his person or freehold, if he be wounded, beaten, or assaulted, or any wise wilfully obstructed or hindered to come to the place of voting, and to offer or pronounce his vote for any of the candidates, the Commons do admit, that the elector may have an action at common law; they do not desire to be judges of any such cases: But when a vote is offered by an elector, and not taken down upon the poll by the proper officer, Whether this officer (who is in this particular case their servant) has done his duty or not? And, Whether that vote was a legal vote or not? The Commons claim the sole determination thereof, by the law and custom of parliament, as being incident to the trial of every election, absolutely necessary to preserve the very being of a free parliament, and without which, the people of England (by whom they are entrusted) can no longer remain a free people.

This is the case of Ashby, who was not wounded, beaten, assaulted, or hindered from coming to the place of election; for he did come there, was permitted quietly to offer and pronounce his vote for Sir Thomas Lee and Symon Mayne, Esq. but the chief officers of Alesbury understanding that Ashby was a poor cobbler turned ostler, not legally settled there, but at that time under prosecution, for removing him out of the parish; and the officers being upon their oaths, and under a great penalty, to do equal

justice to all the candidates ; and being satisfied that Ashby was not a legal inhabitant of Alesbury, qualified to vote in the election of members for that borough, did refuse to enter his name on the poll ; and for this omission or refusal, the action was brought. To which the defendants being advised to make no defence at the trial at law (because the determination of that point did belong to the House of Commons) a verdict of course was found for Ashby ; and on a return thereof to the Queen's Bench, the court adjudged, that no such action could be brought at common law, because the House of Commons had the sole judicature of the behaviour of the officers, and of all matters relating to the election of their own members : But the same, by a writ of error, was brought into the House of Peers, and there it was adjudged to the contrary, that the action did lie, and judgment was accordingly given for the plaintiff. Whereupon the House of Commons came to resolutions as the judgment of that house ; That, " According to the known laws and usage of parliament, the qualification of an elector was not cognizable or determinable elsewhere, than before the Commons of England in parliament assembled, and that whoever shall presume to commence or prosecute any action, indictment, or information to the contrary, are guilty of a breach of the privilege of that house." The five men of Alesbury were served with these resolutions ; and afterwards it was resolved at follows :

" That it appears to this house, that John Paty of Alesbury has been guilty of commencing and prosecuting an action at common law against William White, and others, late constables of Alesbury, for not allowing his vote in the election of members to serve in parliament, contrary to the declaration, in high contempt of the jurisdiction, and in breach of the known privileges of the house. Resolved, That John Paty be, for his said offence, committed prisoner to her majesty's gaol of Newgate." The like resolutions were made against the other four Alesbury men, guilty of the same offence.

They that argue for the prisoners, insist,

I. That the elector is, in this case, deprived of his vote by the default of the officer, in not entering the same upon the poll.

II. That this omission in the officer is to the damage of the elector.

III. That for such default in the officer, there is no remedy to be had in the House of Commons. And therefore,

IV. That the elector is entitled to an action at common law, for recovery of damages.

To this the Commons answer,

I. That the elector is not deprived of his vote by such refusal of the officer.

II. That this omission in the officer is not to the damage of the elector.

III. That for such default in the officer, there is a proper remedy in the House of Commons. And,

IV. That the elector is not entitled, in this case, to an action of law, for recovery of damages.

And having answered all the arguments for the action, we go on to prove the sole jurisdiction of the Commons, in the case above-mentioned, and then justify their commitments, and all other their proceedings upon the writs of *Habeas Corpus*, and Writ of Error.

I. *The elector is not deprived of his vote by such omission of the officer.*

This is proved by the law and custom of parliament, by which it is declared and established, and so adjudged on the determination of all elections in the House of Commons, That a vote that is offered and refused is as good as a vote that is offered and

received : For if the elector offers his vote, the law takes it, though the officer be wanting in his duty.

This law is founded on great reason, for the safety of the electors and of the whole constitution. For the safety of the electors, that it may not be in the power of the officer to take from them what is incident to their freehold, and essentially necessary to the preservation of it, for the safety of the constitution, that the Commons may have power to do justice to the candidates, and to fill their house with legal representatives, on whom depend the rights and liberties of all the Commons of England.

If the votes that were offered and refused were not of validity at the time of the election, the Commons could not determine that the candidates, who petition for relief, on such refusal, were duly elected by majority of legal votes, and thereby fill their house with proper representatives for the common safety : But the persons returned by corruption or bribery (who had the majority without the rejected votes) would continue to sit in parliament, to the great hazard and prejudice of the electors, and the whole constitution.

The receiving and entering of votes on a paper, upon the poll, is not a qualification for every vote, but a formality appointed by the parliament, for the better discovery of any default in the officer ; and if he should make a return without taking down any of the electors names on the poll, that would not avoid the election or the votes. It is indeed an offence, yet not to the parties, but to the parliament ; and upon proof made of the electors votes, they would all be allowed as legal, though not one of them were entered on the poll : And therefore,

II. *This omission in the officer is not to the elector's damage.*

This is a plain case ; for if the elector is not deprived of his vote, as hath been demonstrated, this omission in the officer is not to the elector's damage.

It hath been nicely observed, that the not taking an elector's vote on the poll, is a discredit ; but to whom ? To the elector who hath done his duty, or to the officer who hath not ? It is certainly a great discredit to the officer, who is upon his oath to do equal justice, to refuse to take down the vote of a person who is well known to all his neighbours to be a legal elector ; but it is none to the elector, who is not answerable for the default of the officer : But if it were, it is not to his damage, which is the point in question. And,

III. *For such a default in the officer, there is a proper remedy to be had in the House of Commons.*

An officer that refuses to take down the vote of a legal elector on the poll, is guilty of a great offence to the parliament, in breach of his oath, and in disobeying their orders : And this offence being of a publick nature, and committed by him in the service of the parliament, hath ever been punishable by the House of Commons by imprisonment, or otherwise, of which there are innumerable instances in the journals of that house : And this may be done on the petition of any one or more electors. But in regard electors are generally contented, if they have their legal representatives ; and if they have not, they will have justice done them at the expence of the candidates : Complaints of this nature are very rare from single electors. But I remember there has been (from this very town of Alesbury) a complaint made to the house by three electors against the officers for such a default.

The remedy in the House of Commons is very proper in every respect : For if the electors that complain have the representatives returned for whom they offered their votes, then the punishment of the officer is the proper remedy. If such representatives are not returned, then the proper remedy is, that not only the officer be punished, but that the electors have their votes allowed to them, and that the return be

amended accordingly; all which is done on the trial of every election in the House of Commons. But nothing of this kind can be done at common law, and therefore the action at law is not a proper remedy in any respect. It is not just and equal that the officer should pay damage to one that has not suffered any; neither is it proper that a publick offence should be punished with a private satisfaction, which can nowise prevent the evil, allow the vote, restore the legal representative, or preserve the constitution; all which is the proper end of voting, by reason of their freehold and freedom, and for the preservation of free parliaments, the great bulwark both of liberty and property. But all these ends are answered by the remedy in the House of Commons, which is very just and equal, adapted to the nature of the offence, most likely to prevent the evil thereof, and most advantageous for the publick safety.

IV. The elector is not entitled in this case to an action at law for recovery of damages.

This is evident by what hath been said: For if the elector be not deprived of his vote, as hath been demonstrated, he cannot be entitled to an action at law for recovery of damages. By all which it appears, that the judges at common law were in the right, that no such action did lie, and that the Lords founded their judgment on a mistake, that the elector was deprived of his vote when he was not; and that for such a default in the officer, there was no remedy in the House of Commons; whereas in truth they have a remedy there, and no where else. This is farther demonstrated by the reasons and authorities following, viz.

V. The House of Commons are sole judges of the behaviour of sheriffs and other officers in taking down the elector's votes on the poll, and whether those votes were legal or not.

Every court in the kingdom are judges of their own principles, and of the behaviour of their own officers, and the publick officers are in law the proper officers of every court, according to the writs and commands they receive. If a writ or process issue forth of the Exchequer, the officers that execute those writs, and make their returns thereupon, are their servants, and accountable to them: If out of the Common Pleas they are their servants; if out of the Queen's Bench they are theirs; and if the writs concern the members to sit in parliament, they are the officers of the parliament. Thus the sheriffs, mayors, bailiffs, and other officers, as to all matters relating to parliament, do act as officers of the parliament, and are accountable to none but them. The House of Commons exercise in these cases an immediate jurisdiction over them: If the return be too slow, they send an order to the sheriff, or if faulty, take him into custody, as for a breach of the privilege or service of that house. The court of Chancery is only the repository for such writs, by an act of parliament; but that court does not meddle with the returns, or the sheriff, nor issue out a new writ, but by warrant from the speaker of the House of Commons.

This law is founded upon great reason, and even upon the necessity of preserving thereby the constitution of parliaments; for if the Commons wanted power to punish those officers, or in case any other had power so to do besides themselves, in cases relating to elections, they could never be sure of fair returns, or a free parliament.

It will be dishonourable to parliaments, as a learned judge observes, "that there should be no protection in their service; nobody can serve them chearfully and willingly at that rate, and to have others judge when their servants do well or ill, will be to have others give rules to their servants and service, which will not be convenient." But, on the contrary, it would be destructive to the freedom of elections, and tending to subject the House of Commons to the power of other courts.

If the House of Commons were not the sole judges in this case, both the electors and officers would be in a miserable condition; for the electors might be deprived of free parliaments, to protect their freedoms; and the officers might be twice punished for the same offence, first by the Commons, and afterwards by the judges at common law; which is contrary to a fundamental maxim of the law of England, that says, *Nemo bis punitur pro eodem delicto*. Nay, they will be in such a condition, that whether they do discharge their duty, or not, they may be utterly ruined and undone: For if an hundred men offer their votes, who have no right so to do, the officer must either accept or refuse; if he accept, he forfeits 500*l.* on the statute for a false return; if he refuse, he is prosecuted by a multitude of vexatious actions, which must all be defended at the single expence of the officer, and whether he has judgment for him or against him, may be the ruin of himself and family; especially if such actions shall be removed into the House of Peers, and judgment there be given against him, as it was in the case of Ashby and White; and yet these actions are supported by some persons, as if that very thing were absolutely necessary to preserve the property of the subject, which tends to the destruction of it.

Free parliaments depend entirely on free elections; but no elections can be free, if there be any terror on the electors or on the officers; for as the electors must not be hindered by force or threatnings, but must be free to come to the election, and to offer or pronounce their votes to the proper officer, for which of the candidates they please; so the officer must not be terrified with a fear of a multiplicity of vexatious suits, but must be free to act indifferently, as a judge, in the management of such elections, according to his oath, and duty of his office, and as well to reject the bad votes as to receive the good; and ought not to be accountable to any, but to those whose officer he is for that purpose, and with whom are entrusted the preservation of the freedom of elections, and of all the rights and liberties of the Commons of England.

They that have power to punish the officers, have power to influence them in the return of members to serve in parliament; and if an action will lie, an information will also lie, for the misdemeanor of his office; if it may be punished at the suit of the party, it may be punished at the suit of the prince: If so, where is the officer's security? He may be found guilty by a jury of the adverse party; he may be punished twenty years hence, and who can tell what damages or what fine may be set upon him? Will not this terror make him desire to please them that are to be his final judges, rather than do right? And will not this be dangerous to the constitution of parliaments, and put the Commons in the power of the Lords?

The Lords and Commons have ever agreed that it is an ancient fundamental maxim of the law and custom of parliament (which is the highest and noblest branch of the law of England, and particularly adapted to the preservation of the liberties of this kingdom,) that the two houses are independent of one another, and sole judges of their own privileges; and the Commons insist that it is the first fundamental privilege of the Commons of England to chuse members to represent them in parliament: This is the foundation of all their privileges; and as the House of Commons stand in the place of their electors in all other respects, so in this also, to be sole judges, who have a right to chuse such representatives; or else they can never be secure of a right judgment, and that illegal representatives shall not be imposed upon them to the ruin of the constitution, and the destruction of their liberties.

There is a great difference between the rights of the Commons of England in their private and their publick capacities; for though the private differences of the Commons, concerning their freeholds and freedoms are submitted to the determination of the judges of Westminster-Hall, as persons indifferently chosen and appointed by the prince, to do equal justice to all his subjects, yet they never submitted the fundamental rights of the Commons of England in general, and in their publick and politick capa-

cities, as they are a free branch of the high court of parliament, to the determination of any other but their own representatives.

This appears not only by the law, custom, and constant usage of parliament, but by the very frame and nature of our constitution, which requires that no law be made to bind the persons or properties of the subject without their own consent in parliament, and as there is no law extant, nor any such attempt ever made before, so it cannot be imagined, that five hundred men in their right senses, could ever give up that privilege, without which they could not maintain any other privilege whatsoever, nor in any respect remain a free people; for whoever has a judicature in this case over the rights of electors, has a power over the Commons, and consequently may dispose of them and their privileges as they please.

This is a matter of parliament, and therefore not cognizable elsewhere; it is a matter of the House of Commons, and not of the House of Lords, and therefore solely cognizable in the House of Commons; and if this be the case, as really it is, and I hope made plain to the meanest capacities, then it will be also evident to them, that the Commons have in all respects discharged their duty to their country with great fidelity and unbiassed judgments.

If the Commons have a privilege to judge of the behaviour of officers in this case, and they are and ever have been sole judges of their own privileges, then the determination of such cases cannot by any new device, or artifice whatsoever, be brought to any other judicature; but all the proceedings in order thereunto must be null and void, and *coram non judice*; and not only so, but the attempt to set up another jurisdiction, in opposition, and even to the overthrow of the legal authority of the House of Commons, must be the highest breach of the privilege of that august assembly, especially after the Commons had given fair notice of their undoubted right by the law and custom of parliament.

The offence of Ashby might be committed through ignorance, because the law of parliament is not universally understood, and therefore, notwithstanding every subject is bound in strictness to take notice of the privileges of parliament, yet the Commons took pity of an ignorant man, and remitted the punishment; but the offence of the five men of Alesbury was committed after they were served with the resolutions of the Commons, and therefore was a wilful and notorious offence, in contempt to the jurisdiction and breach of the privilege of all the Commons of England, on which their very being depends as a free people.

How then can the Commons be blamed for committing such offenders? Was it not their duty so to do? Are not such commitments usual in such cases; and the proper way to preserve the privileges of the Commons? And can such commitments be discharged by any other authority? Ought not offenders in such cases to pay as much respect to a House of Commons, as to an inferior court in Westminster-Hall? Must they not in all cases of contempts, petition, submit, and beg pardon of the court to whom they gave the offence? Is not a discharge of the commitments of the Commons, in such cases, a discharge of their privileges too? Will any *Habeas Corpus* lie to discharge an execution upon a judgment? Was not this the judgment of the Commons of England in parliament assembled, that those men should be punished for their offence by imprisonment, during the session of parliament, or until they made their submission to the Commons: And can this judgment be discharged by an inferior court? And are not cases of this nature excepted in the act of *Habeas Corpus*? What colour then was there for such a proceeding? And when the lord keeper and all the judges had unanimously declared that offenders could not be discharged that were committed for a breach of privilege of the House of Commons, and they by a solemn judgment asserted and declared that they had a privilege in this case, and had good reason so to do, as is plainly proved, what could the gentlemen of the long robe mean by proceeding

ing farther in that matter? And by arraiging the proceedings of the commons in an open court, with the greatest licentiousness of speech, they themselves then sitting in dispatch of the publick supplies, and other weighty affairs of the nation, never was a greater indignity offered to the high court of parliament; for as famous Judge Dyer, p. 60, expressly tells us, in the case of Trewinward, "The judgment of the House of Commons, in all cases cognizable before them, is the judgment of the most high court of parliament:" For though the power is distributed, yet, as King Henry VIII. said, in the case of Ferrers, "The king as head, and the two houses as members, are knit together in one body politick, so as whatsoever offence or injury is offered to the meanest member of either house during the time of parliament, is to be judged as done to the king's person, and the whole court of parliament;" and Sir Edward Montague, the Lord Chief Justice then present, confirmed all that the king had said; and it was assented to by all the rest of the judges of England: "Now," says Sir Robert Atkins, in his learned argument, "if you bruise or pierce the hands," (and the House of Commons may well be compared to the hands; for they have been the liberal hands, and the hands feed the head) "the head and all the rest of the body must be quickly sensible."

It appears by several authorities, particularly by two records, M. 12. E. 4, and H. 13. E. 4. in the office of the Pleas of the Exchequer, that the privileges of the Lords in one case, and the privilege of the Commons in the other, were both laid and claimed as one entire privilege, and so owned by all the judges of England, and thus it is the joint privilege of both houses, that each house shall be sole judges of their respective privileges; and whoever destroys that privilege in one house, destroys it in both, since both do stand on the same foundation; it is pulling our constitution to pieces; it is destroying the greatest security of the subjects of this kingdom; for thus the Lords declared in the great conference on the bill for impositions on merchandise, "That it was the greatest security of all the subjects of this kingdom, that the two houses do, by their constitution, not only give assistance, but are mutual checks to each other; but if the privileges of the Commons can be brought to the determination of the inferior courts, and from thence by writ of error into the House of Peers, the Commons will neither be able to give assistance, nor be a mutual check to the Lords for the common safety:" It is giving up the whole constitution at once; and certainly, if sending a letter to a peer, or a subpoena to a commoner, to appear in Chancery, be a breach of privilege of parliament, the endeavouring to set up a new action contrary to the law of parliament, and to the fundamental rights of the Commons of England, is an offence of a much higher nature, as the consequence is much more dangerous to the publick safety.

It is yet an aggravation to pursue such methods in an undecent and reproachful manner: I will not use my own words, but the words of a learned judge on the like occasion: "It carries with it a very high reflection upon that great and solemn assembly, to entertain a thought so mean and so dishonourable of the supreme court of the nation, which is to correct the errors of all other courts, that they should be guilty of injustice and partiality." Chief Justice Brook and Justice Saunders say, in Plowden's Comment. 175, "Injustice may not be presumed of a parliament." And in the Earl of Leicester's case, fol. 398, "The parliament is a court of very high honour and justice, of which no man ought to imagine a thing dishonourable." And Sir Robert Atkins says, "We easily agree a parliament may err, for they are not infallible; but the law hath provided a remedy against those errors, and a way to reform them. A subsequent parliament may reform the errors of a preceding parliament; but to say they will be partial or unjust, or do any thing out of malice, is to raise a scandal upon the whole nation, whose representatives they are." And is it a crime in the Commons to commit such offenders as have raised a scandal on the whole nation? Have not much

greater punishments been inflicted for indignities offered to inferior courts, or dishonourable words spoken of them, or their proceedings? And if they commit, no inferior court can discharge, by *Habeas Corpus*, or otherwise.

If the privileges or proceedings of the commons cannot be tried or brought to judgment in any inferior court; if all proceedings and judgments in such case are null and void, and *coram non judice*, as has been demonstrated, how can any writ of error lie on such proceedings? 1st, Because there is nothing to be removed, for the judgment below is null and void. 2dly, Because the commons are sole judges, and the last resort in cases properly cognizable before them, as the lords claim to be, in cases proper for them. The commons cannot but protest against any such action, whilst they remain a free parliament. It cannot be conceived that ever a House of Commons will yield up this point, because whenever they do, they yield up all.

It is not therefore material in this case, whether a writ of error be a writ of right, or a writ of grace, if it be demonstrated that no writ of error lies to bring their privileges and proceedings to the judicature of the lords. But if a writ of error be a writ of right in all cases whatsoever, especially on all acts and interlocutory orders of judges, it will be welcome news to the criminals, that may delay their executions; but not to the crown or the commons, since the prerogatives of the one, and the privileges of the other, may by such means be brought to the sole determination of the lords.

I will conclude this discourse with a famous record out of the parliament rolls, 27 Edw. III. numb. 9.

Among the petitions of the commons, one is, "They pray the king that he will require the archbishop, and all other the clergy, to pray for the peace and good government of the land, and for the king's good-will towards the commons." The king's answer is, "The same prayeth the king." And, as a learned judge adds on another occasion, "And I wish with all my heart it were the common prayer, not only to pray for the good-will of the prince, but of the lords towards the commons; that they may not endeavour to take that from them by a judgment, which has been obtained with so great expence and difficulty.

I have but one prayer to make, and that is, That the good people of England will take care to preserve their liberties by chusing good representatives.

*Dr Kennet's Character of the late King James, in his Preface to an Address of Thanks :
With a Postscript concerning his late Sermons. 1706.*

The celebrated Dr Kennet, well known as a historian and antiquary, was equally distinguished in Queen Anne's time as a whig and low-church divine. Some unlucky tory of research and memory discovered the following preface written by him during the reign of James II. in terms of eulogy rather inconsistent with his future belief respecting that monarch and his descendants. The republication was of course designed to subject Kennet to the charge of inconsistency. And indeed he might have added a curious tract by the same hand, upon the subject of the Oxford parliament, 1681, entitled "A Letter from a Student at Oxford to a Friend in the Country, concerning the approaching Parliament, in Vindication of his Majesty, the Church of England, and the University." This attack was so highly resented by the parliament, that they commanded the vice-chancellor to use his endeavours to discover the author. But their sudden dissolution having prevented any steps being taken for this purpose, Kennet celebrated the royal triumph by a poem to Mr E. L. on his majesty's dissolving the late parliament at Oxford.

March 23th, 1681. These, however, were juvenile productions, and there is reason to believe, that from the latter end of James the Second's reign, until his death, in 1728, he was not only uniform but vehement in low-church principles. Distinguished as a party writer, he was the object of attack to the other division of churchmen, not only by such pamphlets as the following, but in other modes. Of these the most singular was adopted by Dr Welton, rector of White Chapel, who, in an altar-piece painted for his church, representing the Last Supper, introduced the portrait of Kennet, then Dean of Peterborough, in the character of the apostate Judas.

SINCE it is an impulse of nature to celebrate that goodness by which we are influenced, and an universal instinct disposes to extol our benefactors; since, too, the infinite obligations of Providence have now made subjection our happiness, as much as religion has always assigned it our duty, and we have a monarch so indulging, that our only yoke is a pressure of our inability to raise him a deserved commendation; it is obvious to reflect on this gratulatory speech of Pliny, and to conclude that nothing penned at so wide a distance comes so nearly up for an application to our times. For sure a gratitude for the comforts of an easy government, and a recognizance of the merits of a gracious prince, were never more requisite, never more opportune.

And, would our supreme master be as patient to a just harangue, as he once was to the most insolent libels; would he put up a seeming compliment with as much of unconcern as he oft dispensed with the most substantial affronts, no question but somewhat of this nature had been attempted; but we live so pure from a compulsion of inventing shams for flattery, that we must stifle some truths, for fear of being thought so. And a silence on this subject, where there be so many temptations to be eloquent, can upon that caution only be accounted for. However, what we dare not imitate we may at least rehearse, and may apply a translation, where we must not venture at a like original. [*Pag. 10.*] The affinity of this subject, with the happy circumstances of our own times, seemed to invite a parallel. And indeed, there is no virtue here ascribed to a Roman emperor, but what we can compleatly match in a British monarch. Nay, the odds would be vastly ours; for in the experience of afflictions, in the fortitude of sufferance, in lenity, prudence, and other royal ornaments, most signally in justice, above interest or importunities, in a veracity beyond unconconstancy or provocation, we want a precedent of past ages, and can dare the longest posterity to produce and offer a comparison: So that an endeavour of making the parallel run exact, would be an injury to him who is proposed to compleat it: For to bestow on him all the eulogies that are assigned would scarcely fill up one half of his character. And should we pursue a rehearsal of whatever might be fairly imputed, the design might be suspected not to rival but outvie, not to equal but excel: What though a justice on the one part would be a seeming derogation on the other: It is therefore thought more convenient to refer the task of comparing for an exercise of recollection to the reader. And I challenge the most unthinking to light upon any one commendable quality here recorded of a foreign hero, but what he shall immediately pronounce copied and surpassed by our native monarch: A monarch, who, by submission while a subject, taught others to obey and himself to command. Whose patience, generosity, and courage, were never more the envy of the factious, than the amazement of the impartial, and the transport of the loyal, whose auspicious entrance to a throne assures the happiest progress, and merits the longest establishment on it. A monarch whose accomplishments are in each respect so admirable, that they surmount flattery, and defy the rankest malice, whose virtues are every way so illustrious, that they dazzle no less than enlighten, and (what his piety abhors) they almost threaten to eclipse the glories of his royal predecessor.

There is indeed one odd kind of virtue in Trajan, which we care not should be honoured with imitation, and that is, his wheedling of the mob: By several little less than sneaking insinuations, which betray a too violent ambition of being popular, and imply, that he chose rather to be a fondling than a master of his subjects, which, however specious and alluring, partakes of a low soul, and unhinges all governments, makes obedience and submission precarious, animates to claim as a debt, what ever is in a good humour granted, and is in effect a resignation of all authority on the one hand, and a dispensation for resistance on the other. A main specimen of this easiness in Trajan, is his bravo at the delivery of a sword to the captain of his guards: "Take this, and if I govern well, use it for me; but if ill, against me."

This generous charge two republican commentators are so much affected with, that one of them thinks it a concession never enough to be commended; and the other good man is angry with the dull Pliny for being no more rhetorical on so inviting a topick, that he should give so slight a touch to an action, which, if set off to its due advantage, would alone suffice for a compleat panegyrick. That all commissioned officers should draw their swords in the supreme general's defence, if he would be honest and orderly; but if imperious and abusive, should brandish them to his execution. Ay! this was a piece of the law of nature, and always an inherent liberty of the subject; but former princes had been too shy and surly to own it; it was Trajan the Best who would first make the concession; nay, pass that into an avowed command, which in its utmost improvement before had been but a tacit allowance. This passage, with other of like tendence, were pertly cited, and very lovingly applied by that virulent preacher, in King James the First's reign, who borrowed his notion of subjection from David Horæus, and so brought on the commentaries of that author, the mockery of martyrdom. And the reformed brethren in Scotland, who were never much addicted to admire any thing that came from a prince, were yet so mightily taken with this compliment of the emperor's, that, in the minority of a late prince, they stamped on their coin the impress of a sword, with that motto: "'Twas a more gudely precept for liberty than any their barren gospel would afford." And though it was a heathen rant from one prince to a particular subject, they would adopt it for an universal Christian duty; and in such a case, devout souls, for once they would obey for conscience-sake. Nay, there has scarce been any one pestilent libel teemed to promote anarchy and justify rebellion, but what has gloried in this quotation, and built upon it the consequence of an arbitrary submission, not longer to be practised than while no oppressions or grievances could be plausibly, or indeed possibly, complained of. Yet it must be confessed that learned authors, of a calmer temper, have constantly given far more sober interpretations of this so unwary and inconsiderate a flourish. But whether this expression of Trajan were only the stretch and effort of a complaisant humour, or no more than a figure to dress up his confidence of this person's integrity to whom it was applied, or whether (what's indeed the most plausible salvo, yet argues a flight of generosity beyond discretion) it was a declaration of his fixed resolve to govern well; we are sure, if it be interpreted for a serious instruction for any practicable advice, nothing could more proclaim the unadvisedness of their prince, because nothing more evacuates all the ties of allegiance. For, if subjects must in truth no longer submit, than they confess themselves unoppressed and honestly dealt with; but, as soon as a little teased with any imaginary wrong, (for they themselves are to be sole judges, or the principle has no consequence) may fly in the face of authority which gives them the affront, and depose that power which they suppose will be too hard for them, is so rank a tenet, that treason, tumult, anarchy, confusion, and all the licentious mischiefs of earth or hell would be its damning inference. The prince being crushed into the most helpless of slave, and every peevish incendiary preferred his supream Lord, it hurries on so violently to seditions and rebellions, that did the Romans believe they

might do, what this direction to the captain implied, and yet permit the emperor, who authorized them with that privilege, to pass his one and twenty years reign without any mutiny or insurrection: I say, did the Romans suppose it to be serious advice, and yet never pervert it to the prejudice of him that bestowed it, nothing less can be inferred than (what is not handsome to own) that loyalty of heathens surmounts that of the precisest Christians; since the one could be steadily obedient, where they had in a manner leave to resist; and yet the other be so apt to rebel, where they have all the restrictions of nature, religion, and national laws to submit and be quiet: Nay, had this soothing prince delivered it as a license to have himself chastised, yet, by the frankest concession, he could not have authorized the captain's revolt. For, it is even beyond the prerogative of supreme powers to legitimate resistance, or endow their subjects with a charter to rebel. However valid unextorted resignations and voluntary assent to a deposition may be, yet it is certain no sovereign authority, while so continuing, can dispense any liberty for disobedience, or absolve from the crime of treason, any more than my saying to another, "I'll give you leave to kill me," would in justice acquit him from the guilt of murder.

So that whatever acceptation it will bear, there is nothing more illogical, impertinent, and absurd, than to alledge it as an authentic plea, for subjects to amend the suspected irregularities of their governors: Yet to this have a great many late demagogues most pertly applied it, in challenge and defiance to all the evident restrictions of nature's and religion's laws. Some from hence inferring a right of resistance, as a property of each the most inferior member of society: Others by a modester (though no less mischievous) retrench confining it to the subordinate magistrates, whose office is pretended to empower them for a defence of the people's liberties, though in express opposition to that superior who deputed them.

After all, the most natural deduction which I conceive this passage capable of, is this, That such flashes of good-nature in a prince may be of very hurtful consequence: They prostitute his honour, alienate his authority, and make all the rabble an execrable high court of justice.

Hence I wondered at always, and condemned the inconsiderateness of those authors, who, though they would interpret to no disloyal tendence, yet have winked at the consequence they presumed to detest, and have only extolled this saying, for the noble sally of a resolute, undaunted, and heroick soul. Whereas 'tis at best but an unwary vapour, an undigested flant of a popularity, to the quest whereof this prince was too abundantly addicted, as is farther conspicuous in several others of his demeanours, remarked in the following harangue; particularly in sect. 56, where Pliny seems to intimate that Trajan had submitted himself to govern upon the strange and unheard-of terms, of the prince being not above the laws; it should be, but the laws above the prince: Which destroys the prime and fundamental prerogative of princes, their being unaccountable to any but God, and was the very principle our regicides proceeded on: It is true, if that specious maxim be meant, only of the preheminance of the laws in a bare directive and regulative power, it is what sober men have always owned, and nice princes have as duly practised; but if it must be understood (as the occasion and coherence in Pliny intimate) of a coercive and vindicative power, to be exercised on supreme governors, whenever their subjects shall adjudge them guilty of the breach of those laws, which they obliged themselves by oath to observe, it debases the prince beneath the vilest malefactors, and exposes his person to the worst of butcheries: For, though it proclaims not impunity to a private assassinate, yet it ascertains the murder, and inhances the ignominy, by justifying a formal execution.

Page 20. And now I ask the reader no other mercy, but when he has read through this character of a Roman emperor, he would bless the Divine Providence for living under the protection of a more gracious monarch, who wants nothing but the united

allegiance of his subjects, to make him happier than Augustus, since Heaven's and his own goodness have already made him even better than Trajan, who was yet the best of all the Roman emperors.

Postscript.

This is a true and faithful extract, the very words of Dr Kennet's preface, and some passages are omitted which are yet full as high as any here mentioned; and the doctor may please to observe, That, if the publisher had a mind, he might easily have made several more remarks that would have been ungrateful enough.

He desires only to remind him of the Bissiter letter, and his sermon preached at Oxford many years ago; both which, as they ran perfectly in the same strain with his panegyrick, so let his own conscience answer, Whether, if he had thought he could have made the same court by talking the same language the last thirtieth of January, he would have thus unsaid all that he had writ and preached before? The truth is, men that are forward to appear in print, to speak softly, do not always make this their only aim to do good to mankind, but to their own dear selves; and the doctor knows well enough there are some voluminous writers, who are not so great slaves to truth as to something else; and if these men assume an air of assurance, that their subjects lie out of the common road, and that the author has the good luck but to be supposed to understand it a little better than his neighbours, some who have interests to serve by it, and others in the mere simplicity of their hearts, will help forward the imposture; so that at last the unthinking world shall take it for a certain and important truth.

And thus a notion that was at first advanced only to serve a party, and had never perhaps been divulged, but that the author expected to find his private accounts in it, shall at one time gain credit, yea preferment to himself, and at another, upon a different crisis, be exposed as a most dangerous error, and perhaps by none more and sooner than the first broacher himself. How far the doctor is affected by this remark, God, the world, and his own conscience full well know; but he must pardon me for saying, That as few party mercenary scribblers have gained more of their end than this worthy doctor has, so the world would ever hereafter do him that justice as to say, That he'll be no longer for any cause than the cause is for him, and that no fresh game can start up but what he will have a quick scent of, and be one of the first and earliest in pursuing.

The French Favourites: or, the Seventh Discourse of Balzac's Politicks. Published by the Rev. Dr Kennet, Dean of Peterborough, February 13, 1708—9.

This is another indirect attack upon Dr Kennet, applying the passages of Balzac respecting French favourites to the domination of Sarah Duchess of Marlborough over Queen Anne, which the Tories were now busied in labouring to subvert.

Advertisement.

He must be a stranger to the history of Cardinal Mazarine's administration, who will not allow those reflections of Monsieur Balzac to be very just, and well suited to his times; and I presume they are as applicable to the present state of the French court and ministry, since they are so lately and so warmly recommended to English readers, by that impartial historian and judicious writer, Dr Kennet. "This translation," says he, "of the finest parts of Balzac's works, will, I presume, be grateful to all persons who have a taste of wit and language, and the conversation of the court. The subject is as nice in its nature, and as well set forth, as any thing that was ever yet prepared for publick entertainment. The author writes like a Briton, and his discourses have that truth and freedom, that they make a very good book in England, but would be thought a dangerous libel in France."

I have nothing to add after so celebrated a pen, only to assure the reader, That though in ranging these select observations, I was obliged sometimes to change the author's method, yet I have been very punctual in transcribing the very words of the translator.

The French Favourites, &c.

Page 153. As there is not in the whole world any good more great and excellent, and more universally diffusive of itself, than a good prince, nor any evil that spreads wider or with more mischievous effect, than an evil prince, so there is not, in the utmost extent of human justice, any punishment proportioned to their crime, who turn this good into evil, and corrupt what is thus sovereign and salutary.

Page 144. Let us then enquire who they are, that govern the world in despite of itself? Who they are that reign without right, without merit, and without a crown?

Page 154. And since the persons of sovereigns, whatever they are, ought to be held sacred and inviolable; since the character of the finger of God demands our highest veneration, on whatever matter it is impressed, let us direct all our hatred and censure against these vile —, who lead us into miseries beyond retrieve.

Page 164. It is not long since we have seen a lady of the court arrive at such a pitch of insolence, that, being solicited in an affair which, to engage her the more willingly, was represented as easy and just, she replied with a spirit worthy her,—"That she was not so lavish of her interest; that another might serve on this slight occasion, and might undertake things just and possible: As for her part she used herself to attempt none but such as are unjust and impossible."

Page 165. What a train of calamities must follow such a management! What outrages will be committed under the shelter of this unlawful favour! Has the great man at court any one slave who does not take himself to have the privilege of abusing freemen, and of doing violence with impunity, in the name and by the authority of his master? Does he not restrain those about him whose business it is to rob and plunder, and enrich themselves with the refuse of his advice?

Page 142. What shall we say to these insolent favourites, who, with banners displayed, bid defiance to law and justice? Who undertake the government of states, with a formal design to ruin them? Who owe their good plight to the juice and substance of exhausted provinces? Who build their houses with the wrecks and devastations of whole kingdoms? Who proclaim all guilty of high treason, that do not fall down and worship them? Who cast a nation into despair, and reduce the best subjects to an incapacity of saving themselves, otherwise than by turning rebels?

Page 151, 144. There have been favourites (I do not say where) that have introduced themselves to court, by ways that are little and mean; and have owed the beginnings of their fortune to a well-adjusted dance, to agility of body, or comeliness of person. And though, as they rose from a hill, they are properly of kin to no man, yet they take themselves for the true and lawful heirs of all the world. There's no office of the crown, no government or commission, but they think they have a right of succeeding to.

Page 152. They persuade the prince in good earnest, that he is under no manner of obligation to keep his word.

Page 155. They reign openly, and usurp without disguise. So that looking on him only as the right and title of their own obtruded authority, they add to the yoke of tyranny, the scandal of its being imposed by private hands.

Page 145. 'Tis incredible how many sorts of charms they make use of, without applying those of magick, which the people, however, don't fail of laying to their charge. Their first essay is to strike him with a sort of emulation and vain-glory, in the establishment of their own fortunes.

Page 156. They give him to understand, that 'tis much wiser to prefer people of obscure parentage, who have no dependencies, and shall hold only of his majesty, than to employ men of illustrious birth and known probity, who are already engaged in some party or interest: That he is concerned in honour not to leave his own works unfinished, but when he has prepared their substance to do somewhat for their elegance and ornament; and to put them in such a condition, as that none but himself can unmake them: That he cannot desert and give up a person that has been once dear to him, without condemning his own conduct for many years, and giving a publick proof of his past blindness or present levity.

Page 157. And indeed the desire we have the world should believe that all our choices are well made, imposes a subsequent necessity upon an action, which in its rise was voluntary; insomuch, that since what has been done against reason, cannot be justified but by resolution, we believe we can never be too obstinate in maintaining it. And upon the strength of this belief, even after we have withdrawn our affection, we think ourselves obliged to defend our judgment.

Page 158. Thus the prince is engaged and devoted to the making his beloved subject great. To him he opens his coffers and employs his treasury. He has already loaded him with all the offices of the kingdom, and all the ornaments of the crown. He has nothing to add to his royal bounty, but his royal person, and this at length he makes over with so entire and absolute a conveyance, that the very monasteries do not afford an instance of a more resigned will and self-renunciation.

Page 159. He is never shewn in publick, but when his presence may seem necessary to confirm those orders, which he had no share in the making, and he is contented to come abroad upon this errand. Care is taken to amuse him with some pretty diversion unworthy his condition, and his very age; and should they send him a collection of play-things from the toyshop, he would scarce fail to thank them for their agreeable present. His domesticks are every day changed, and without his notice. Every thing that can speak is removed from about his person, and he does not guess at the design. They new-model the court, and he takes it as they give it him. They contrive to bring all other men into hatred or suspicion. They find some pretence to ease themselves of all that are truly great and virtuous, and he consents to their ruin. Those that are more stubborn and impatient of the yoke, they subdue by force of arms. The wealthy and peaceable they attack with informations and calumnies. Such as are kept in credit by their good services and irreproachable loyalty; on these they bestow some fatal commission, or send them with feeble troops, to reduce strong garri-

sons, where, if they come off with their lives, they shall be sure to lose their reputation. Some they drive away with an absolute command to leave the court; others they more civilly banish. And in the room of all these, how numerous soever, the new prime minister substitutes persons entirely at his devotion, who rest in the visible cause of their good fortune, and never cast a look beyond their immediate benefactor.

Page 165. The prince all this while is not an actor in the sin, and yet is a sharer in the guilt, his ignorance is inexcusable, his patience is a vice; and those disorders which happen either without his knowledge or by his sufferance, are no less imputed to him by God, than if committed by his own hand. And therefore princes ought not to rest satisfied in a private and personal innocence. It will not avail them to be just themselves, if they miscarry through the injustice of their ministers.

To this purpose I cannot forget a notable strain of an Italian in our fathers' days, preaching before a prince of the same country: Being in the midst of his sermon, in which he had treated of the duty of sovereigns, and being weary of dwelling so long upon the general thesis, he broke through it on a sudden in the following words, addressed to the prince himself: "May it please your highness," says he, "I had a very strange vision last night; methought the earth opened before me, and I could see distinctly to its very centre. I beheld the punishment of the other world—and among the wicked of past ages, I could discern too many of the present—Yet having formerly observed their lives, I did not wonder to see them arrived at a place, to which I knew they had wholly bent their course. But that which struck me with the utmost astonishment, was, that I espied you, sir, in this unhappy company; and as I could not but be filled with surprise and trouble at so unexpected an adventure, I cried out to your highness, 'Is it possible a man should lose his soul by saying his prayers! That your highness should go this way! You who are the best and most religious prince in the world!' To which your highness answered with a sigh, 'I don't go, father, I am led.'"

Page 169. Let the monarch cast the reflection of his greatness in what measure he pleases, upon those who have found favour in his sight, let him communicate to them the rays and brightness of his power; but let him be shorn not of his beams, let him not impair his orb of light; let his largesses enrich the court, if they do not impoverish the kingdom; let the stream of his magnificence flow abundantly into private channels, provided he still continues master of the fountain-head.

Page 172. But what misery is more deplorable, than, at the same time, to be placed at the top of human affairs, and yet to stand in the very lowest rank of men? To be called his majesty, or his highness, and show nothing but what is little and low?

Page 169. I remember the answer given me upon this subject, by that oracle of the Low-Countries, the learned and wise Justus Lipsius, when I consulted him at Lovain; "What," said he, "shall the king and the ruler be always two different persons? Shall princes be obliged to correct the form of their decrees, and to alter their subscriptions? Where an act bears date, the tenth or fifteenth of *our reign*, shall they blot out of *our reign*, and put of *our servitude*, or at least of *our subjection*?"

Page 160. Shall a poor prince lie at the mercy and discretion of his favourite? Speak not a word but what is carried to his governor's ear? Not vent a sigh, but what there's some spy at hand to catch and report?

Page 144. Shall he, in the midst of his own palace, endure all the uneasiness of a solitude?

Page 145. Have a guard placed at all the avenues, and admittance refused to his very confessor?

Page 160. Shall he see no one about his person that is of his knowledge or acquaintance? Not one faithful ear, to which he may whisper what he suffers?

Page 161. Soberly speaking, the battle of Pavia was not so fatal to Francis the First,

nor the taking of Rome to Clement the Seventh: For if their disgrace was heavy, yet it was not voluntary; if they lost their liberty, yet, under all their afflictions, they preserved the greatness of their spirit; and if they were made prisoners, it was to a great emperor, their declared enemy, and not to the lowest of their people. There cannot be so base, so infamous, and so miserable a captivity, as that of a prince taken in his own closet and by his own slave.

Page 162. Tyranny is indeed a thing very distant from royalty, and yet bears a nearer resemblance to it than servitude does. The former is at least some kind of government, and a way of commanding, though not the most excellent way. But when a sovereign shall resign himself as a prey to three or four puny subjects, and not reserve either the disposal of his own will, for the following his inclinations, or the use of his own reason, for the knowledge of his affairs, I want words to express the wretchedness of his condition; and I think a state can suffer no worse *interregnum*, than that of his life, during which he does nothing, and yet does all the mischief that can happen to a people.

In this case he seems to be dead in law, and has, as it were, deposed himself by his own act. 'Tis only his effigies that is carried in publick, and to which some duties of mere custom and pageantry are performed, and many useless reverences paid.

Page 163. Men having forgotten their allegiance to the rightful and natural sovereignty, there's another started up in his place, which is foreign and usurped, sprung from the first by a violent, and, as it were, adulterous birth. They desert royalty to run after favour; of which the Arabians have this proverb, "That the daughters often destroy mothers."

Page 163. What a goodly thing was it to see a King of Castile, who durst not take a walk, or put on a new suit, without asking leave of Alvarez de Luna! Whatever kindnesses were begged of him, he was to beg 'em over again of his favourite. The utmost he could do was to recommend his own friends, and to use his best interest for those he loved and esteemed. A goodly thing when a minister shall be offended with his master, for desiring once in his life-time the perusal of a paper brought to him to sign! When he shall complain that this is to injure his fidelity, and to forget his important services! A goodly thing to see a courtier revoke the prince's choice, and dispose a-new of commissions settled by the royal will!

Page 172. Heavens blow this plague to Asia's distant shore!

The Scotch Echo to the English Legion: Or the Union in Danger, from the Principles of some old and modern Whigs in both Nations, about the Power of Parliaments. Being every Word collected from their own Writings; and here published for the Consideration of those who are capable of forming a Test to secure the Union from the dangerous Consequences of such Principles. 1707.

Legion's humble Address to the Lords.

"To the Right Honourable the Lords Spiritual and Temporal assembled in Parliament.

"THE distressed people of England, betrayed and abused by their representatives, humbly fly to your lordships, as the only refuge now left them, next under God and

her majesty, where they can apply themselves for the safety of their liberties, and redress of the grievances of this nation.

“ And that your lordships and all the world may know, that it is not without great reason, that we come to your lordships from that house, where our safety ought to depend: Accordingly we crave leave humbly to represent to your lordships,

“ There is a duty incumbent on the people’s representatives, viz. The care of the liberties, properties, and peace, of the persons they represent, which they have no right to part with, or to expose; and therefore all the powers and rights of us the represented are not committed to them the representers.

“ Whenever a House of Commons shall part with, expose, neglect, or suffer to be infringed, the liberties, rights, and peace of the people they represent, they betray their trust, violate the general reason and nature of their being chosen: Their representing power and being ceases of course, and they become, from that time forward, a mighty conventicle, an unlawful assembly, and may and ought to be deposed and dismissed, by the same laws of nature and right that oppressed subjects may, and in all ages have deposed bloody and tyrannical princes.

“ It is the undoubted right and privilege of the people of England, that they are not bound to submit to any power but what is legal; and the known laws of the land are the stated bounds of parliamentary as well as regal power; and therefore the people ought not to be oppressed. On the breach of these laws, and oppressing the people, your lordships’ noble ancestors have frequently taken arms, and pulled down bloody tyrants, deposing their power, and rescuing your country from slavery and oppression: And having conveyed to your lordships and us the people of England, the right of being governed by known laws, we have till now defended that right to the destruction of all those that ever attempted to invade it; and, under your lordships protection, still resolve to do so to the last drop of our blood.

“ It cannot be just, that what our kings have no right to take away, our representatives may without law: And that the people may endure the tyrannies of five hundred usurpers more than one, since no number or quality of persons can make that lawful which in its own nature is not so.

“ These things being undeniably true, we cannot, without great regret, apply ourselves to your lordships, and humbly represent in our own names, and in the names of all the good people of England, That to address her majesty to extend her prerogative, and thereby embroil her majesty with the peers, is the most aggravated piece of treachery that ever House of Commons was, or ever can be, guilty of.

“ As it’s an affront to her majesty, and reproaching her with not knowing how to manage her government.

“ As it’s a malicious design on her person, by persuading her to enter on that very thing, the exorbitant practice whereof was the ruin and destruction of her father and grandfather.

“ As it’s a notorious discovery of a treacherous plot against the people of England, to bring the prerogative of the prince in play, and prompt it forward, which has cost the nation so much blood and treasure to restrain.

“ It’s the most unparalleled, unprecedented attempt upon the liberties of the people, who sent them there to protect, settle, and defend them, whose servants they are, and whose rights and liberties they cannot expose without the most detestable perfidy, and degenerating from all the members that ever sate within those walls before them.

“ It’s a terrible precedent for future ages, when some princes of less honesty may sit on the throne, who may with more ease be persuaded by a biassed and corrupt House of Commons, to become tyrants and advancers of the prerogative.

“ And your lordships, like the true posterity of those noble ancestors, at the price of

whose blood we received our privileges and liberties, having vigorously and gloriously withstood the treacherous and unfaithful proceedings of those our degenerated representatives;

“ We cannot, but with a deep sense of gratitude and affection, present unto your lordships this our humble address, heartily acknowledging your lordships zeal, courage, and fidelity, both in vindicating your undoubted rights, invaded by the same House of Commons, in your diligent care for the safety of her majesty’s person, and in your lordships asserting the liberty and rights of the people of England, against the invasion and usurpation of the House of Commons.

“ We cannot in gratitude but assure your lordships, that in the farther pursuit of these just and glorious ends, we the injured freeholders, and commons in England, will firmly adhere to and faithfully defend your lordships both in your persons and authority: We will maintain your lordships in all your just and legal privileges, and in all the due measures you have already taken, or shall further take, in the defence and vindication, of your just rights, her majesty’s person, and our own liberties: In all which we humbly assure your lordships, as one man, to live and die with you.

“ Our name is Legion, and we are more.”

The next of your authors I shall refer to your consideration, is that famed piece, called *Jura Populi Anglicani*, printed in defence of the Kentish petitioners, in 1701, at the direction of your chief whigs, by one of your ablest lawyers, as the sense of all your party.

From the Preface of Jura Populi Anglicani.

“ Though the task be very grateful, and what I could not undertake, when I considered how necessary it was to run down that power, which has been assumed to destroy the freedom we are entitled to by the law of nature and municipal laws of the land, yet two considerations there are, which did not a little discourage me in the undertaking.

“ First, It was no small check to me to consider how invidious a thing it is to censure the proceedings of that great and honourable assembly of the House of Commons. The people of England generally call them their representatives, and so far do they think themselves interested in what they do, as to espouse their acts for their own, and reckon any censure of them to be an arraignment of the whole people. He, therefore, that will be so hardy as to attack such an authority as this, may well be under some concern at the undertaking, and had need, in the very entrance, to remove a prejudice which is enough to defeat his sincere endeavours to serve the publick. The apology which I shall here make for myself is, to desire those who are so tender of the honour of their representatives to consider,

“ First, That he who uses a freedom in speaking against the proceedings of the House of Commons, is not necessarily supposed to speak against the whole house, much less the whole people of England. ’Tis true, indeed, when a question is carried, though it be only by one voice, it’s as much the act of the whole body, as to any force and operation in our constitution, as if it had the suffrages of every individual person. Will any one say, that such a resolution, in the debates of men without doors, concerning its being reasonable, or unreasonable, is as much to be reckoned the act of the whole body, as if it had the cheerful suffrages of them all? To speak a little more plainly, let us consider a question at the very time of division, with the voices equal on both sides. In this case, men reasoning and speaking their minds freely concerning either

side of the question, cannot be said to be guilty of any offence, or utter any reflection against the people of England or their representatives, because they whose suffrages he condemns, are no more than the other side, whose proceedings he justifies. Afterwards, when such an equal division as this is decided by the speaker, it must be owned that his voice makes it the act of the house : But what in reality does such a person do ? Does he any more than censure that one member of the house ? Or can his reflections reach any more of the people than those who chose him for their representative ? If in such a case the speaker should happen to be a man of crooked designs, notorious for falseness and insincerity, as well as other immoralities, and engaged in all the interests of a party, suspected and feared by far the greater part of the people, would it be possible for human nature to have that reverence which some contend for, for such an ordinance as this ; or ought he in justice or good sense to be censured as an evil man, and one who boldly reviles the people of England. who uses some freedom in speaking against a resolution, which owed its sanction to such a corrupt voice ? This shews us, what opinion we are to have of those who are free in censuring such resolutions when they are carried by greater majorities. If a matter should happen to be pushed on by the violence of a faction, wherein the ring-leaders are men whom the people have a long time thought enemies to the government under which they live : If the very fact itself carry in it very broad signs of evil intentions, if it be contrary to the natural rights of the people and laws of the land, 'tis not the majority of the house will be able to reconcile men to it : And if upon the account of its oppressiveness and illegality, the voice of the people be every where against it, 'twill be a solecism to say, that he who, in defence of the people's rights, uses a freedom in speaking against it, arraigns the justice of the whole people of England, and wounds their honour through the sides of their representatives.

“ But though the imprisoning of the Kentish petitioners was the act of the greater part, 'twas not of the whole House of Commons. If then a great and honest party in the house, and in a manner the whole people without doors, inveigh against the imprisonment of those gentlemen, as a notorious infringement of the liberties of the people of England : This, I hope, will be a sufficient apology for me, and secure me from the censures of all those who are apt to call such an undertaking as this an impudent arraignment of the justice of the House of Commons, and of the whole people of England.”

Jura Populi Anglicani, page 30.

“ 'Tis certain that nothing can be more agreeable to nature, and a plainer dictate of reason, than that those who apprehend themselves aggrieved, to be allowed a liberty to approach those by petition, who know their grievances, or perhaps are the authors of them, and consequently able to redress them. When men entered first into society, and gave up that right which they had to secure themselves in the state of nature, it's manifest that they did it for the preservation of property, which is the end of government.”

Page 31.

“ Can any absurdity be so gross, as to imagine, that men gave up their right to pray for redress, if they thought themselves injured in their properties ? or that the supreme power may hinder them to pray for that which they have not a right to deprive them of ? Wherever, therefore, any government is established, there the natural right which people had to secure what was their own, must be so far at least continued, as to

allow them a liberty to petition for what they think their right, because this is a privilege which they could not give up when they entered into society."

Page 32.

"King James the First, by a proclamation published in the eleventh year of his reign, begins thus: The complaints lately exhibited to us by certain noblemen and other of our kingdom of Ireland, suggesting disorders and abuses, as well in the proceedings of the late-begun parliament, as in the martial and civil government of the kingdom, we did receive with all extraordinary grace and favour."

Page 51.

"But we are told, That by the constitution of our parliament, the members are left to the freedom of their own debates, and are to act without controul; they, therefore, who take upon them to intermeddle in their business, invade that freedom, and consequently our constitution. They who tell us that the representatives of the freemen of England have such a freedom as this, and are to act without controul, cannot sure mean that they have delegated their whole power to them; so that it's free for them to do whatever they please, without any regard to the inclinations or interests of those who employ them. 'Tis not to be supposed, that he who takes what servant he pleases, is obliged to suffer him to do what he pleases. The knights, citizens, and burgesses, sent by the people of England to serve in parliament, have a trust reposed in them, which if they should manifestly betray, the people in whom the power is more perfectly and fully than in their delegates, must have a right to help and preserve themselves. Were not this so, the condition of those who act by delegates would be worse, and their freedom less, than that of other states; which I think is not so in the reckoning of mankind. The Achaians, Ætolians, Latins, Samnites, and Tuscans formerly did, as now the United Provinces of the Netherlands, the Switzers and Grisons do, transact all things relating to their associations by delegates. The Athenians, Carthaginians, and Romans kept, as the Venetians, Genoese, and Luccheses do now, the power in their own hands. These all, as an honourable¹ author observes, were and are equally free. But it would, I think, be very improper to reckon them so, unless we suppose the power committed to their trustees remained still in them. That the power arises and is fixed here, and that the delegates reckon themselves obliged to follow the directions of those who chuse them, is evident from the practice of other countries, whose government had the same origin with that of England. The deputies or procuradores of the several parts of Castile, did in the cortes held at Madrid, in the beginning of Charles the Fifth's reign, excuse themselves from giving the supplies he desired, because they had received no orders in that particular, from the towns that sent them; and afterwards receiving express orders not to do it, they gave his majesty a flat denial. The like was frequently done during the reigns of that great prince and of his son Philip the Second. The same way was taken in France, as long as there were any general assemblies of estates; and if it do not still continue, 'tis because there are none. For no man who understood the affairs of that kingdom, did ever deny that the deputies were obliged to follow the orders of those who sent them. In the general assembly of estates held at Blois, in the time of Henry the Third, Bodin, then deputy for the third estate of Verman-dois, by their particular order, proposed so many things as took up a good part of their time. Other deputies alledged no other reason for so many things said and done by them, than that they were commanded so to do by their superiors. These general assemblies being laid aside, the same custom is still used in the lesser

¹ Sidney of Government, pag. 451.—*Orig. Note.*

assemblies of estates in Languedoc and Brittany. The deputies cannot, without the infamy of betraying their trust, and fear of punishment, recede from the orders given by their principals. The same method is every day practised in the diets of Germany: The princes and great lords, who have their places in their own rights, may do what they please; but the deputies of the cities must follow such orders as they receive. The histories of Denmark, Sweden, Poland, and Bohemia, testify the same things.

“ This appears to have been the constitution of England. Formerly, says my Lord ¹ Coke, in the writs to the sheriffs for the election of commons, the king signified, that by the advice of his council he called them together about some weighty affairs that concerned himself, the state and defence of his kingdom of England, and the holy church, and required them to chuse such men as would promote those affairs, that for want of such a power, and by an improvident election, the 'foresaid business might not be left undone. The business that required their meeting was published in the writs, That the commons and freemen might consider what they thought convenient to have done, and that they might chuse proper delegates and direct them as they think fit. This I take to be the reason why it was always the custom at the meeting, to declare the cause of parliament, which, in ancient time, says ² he, was shewed in the Chamber de Peint, or St Edward's Chamber: That the persons elected being more fully informed of the business to be transacted by them, might be able to give their respective countries timely information of it, in order to receive their directions therein. In this opinion we may be confirmed by what that great sage of the law tells us in another place, When any new device is proposed on the king's behalf, says ³ he, the commons may answer, That they tendered the king's estate, and they are ready to aid the same, only in this new device they dare not agree without conference with their countries.

“ Since then in our constitution the delegates of the people have reckoned, that they had a trust reposed in them by those whom they represented, and that they were obliged to make their will the rule of their actions, it will be very hard to conceive how it can tend to destroy this constitution, to pray them to have a regard to the voice of the people ———

——— but if their management bring them under the suspicion of the nation, the people who have a right to preserve themselves, must be allowed a liberty to let them know, in civil and respectful terms, what is the voice of the people, and what they think the necessities of the publick. In such a case it's impossible for all to represent the publick grievances together; some therefore must begin, and they who address first, when there's good reason for it, deserve the thanks of the whole.”

In a book entitled, *Seasonable Reflections on dissolving Corporations in the two late Reigns, by surrendering of, and giving Judgment against Charters*, writ by the late Sir Robert Atkins, a learned Lawyer and great Assertor of Liberty.

General Preface, page 3. Speaking of the constitution of England, which he reckons the happiest in the world, he says,

“ As the subjects of the king are born to lands and other things, so are they born to inherit and enjoy the laws of this realm, that so every man may have an equal benefit by the law; it is therefore called common right, and is a greater inheritance to

¹ 2d Institut. fol. 9, 10.

² Ibid. fol. 8.

³ Ibid. fol. 14.—*Orig. Notes.*

every man, than that which descends to him as heir from his parents, because thereby his goods, lands, wife, children, his body, life, honour, and estimation are protected from injury and wrong."

Page 16, speaking of the surrender of corporations.

"But now if corporations can be surrendered or forfeited, it's a very easy matter, in a short time, to put the whole frame of the government into the hands of the crown, and thereby to make the king of England as absolute in his power as the most absolute monarch in the world."

Page 24, speaking of the surrenders of the charters and corporations, he says,

"That such a surrender is first a sin against the law of nature, for any man that is free by the constitution to make himself a voluntary slave. 2dly, It's a sin against the law of God for any man that is under an oath to break that oath, and to perjure himself upon any pretence whatsoever. 3dly, It is against the law of the land, in that it destroys the natural right of every free-born subject of England, to make free election of members to serve in parliament. 4thly, It is an abdicating of our ancient constitution, a giving up ourselves to be governed according to arbitrary and despotic will and pleasure, a renouncing of the ancient laws of this realm, originally established as laws of the same, by our sufferance and free consent, and which we have bound ourselves, by long use and custom, to observe.

"In a word, the people that have been guilty thereof, however they may have flattered themselves, or have been flattered by others, or worse abused by those that should preach nothing but sound doctrine, they have been treacherous to their God, to their country, to their own souls, and to their posterity; and have, as much as in them lay, dissolved the foundation, freedom, and form of their commonwealth, which their ancestors fore-prise, when they first consented to have a king."

Ibid.

"Even in the hottest and maddest of times, those of Edward the First, Edward the Second, and Richard the Second, when all those seizures and forfeitures were, they were never so extravagant as to suppose they had such a power to destroy the being of corporations, much less actually themselves to destroy their being.

"It was represented to them, that such a judgment would remove us from our center, unhinge the whole frame of this admirable government, make it an *imperium plane despoticum*: And so we should either have no parliament at all, that is to say, so chosen by the people as they ought, and of old times have been accustomed, or, if any, according to the new-modelled constitution, I mean of the court's nomination."

Page 25.

"Glanvil, who was Lord Chief Justice in King Henry the Second's days, above five hundred years ago, wrote a book of the common laws of England, which is the ancientest of any extant, touching that subject, informs us, That there was then, in his time, such a thing as high treason against the kingdom."

Page 26.

"In the articles of high treason, and other misdemeanors, drawn up by Mr Solicitor Herbert, in King Charles the First's time, against the Lord Kimbolton, and five members of the House of Commons, these were two, viz. 1. That they had traitorously endeavoured to subvert the fundamental laws and government of this kingdom. 2.

That they had traitorously endeavoured to subvert the very rights and beings of parliament."

In a book entituled, Rights of the Kingdom, or Customs of our Ancestors, &c. printed at London, 1649, we have the following passages.

Page 182.

"In Richard the Second's time there was a committee of lords and commons appointed to hear and determine all petitions in that present parliament; but afterwards it was adjudged and declared, That such a commission ought not to be given, committing or betraying the high power of parliament into a few private hands; as we may learn out of the rolls of Henry the Fourth, besides other times."

And a little lower.

"This seemeth to be the law of nature and right reason, that delegates should not delegate others; which was one reason why the commons never made proxies as the lords did."

Page 93. That same author says,

"If the case were put thus: That for three distinct estates or cities, there were three men chosen, and sent out to meet and treat of that which did concern their common safety, and that two of these conspired together to destroy or enslave the third, I think it would not be denied, but by reason and the law of nature he might seek to save his life, and to defend himself against the other two."

From Jus Populi Vindicatum: A Book printed in Defence of the People of Scotland's Right to defend themselves in 1669, wherein one of the greatest Lawyers of this Nation, and perhaps of any other, was concerned.

Page 333, &c.

"We desire these things may be considered, 1. That as necessity did put people at first upon the constitution and election of a parliament to manage their affairs, which they could not so conveniently do themselves, without confusion, discords, and other inconveniences, which would necessarily attend a community's meeting together, for carrying on of these matters, so it was the certain expectation of their profit and advantage that did prompt them unto the settling of this frame and constitution.

"2. Whatever power these commissioned according to that frame and model condescended upon, had or have, is not in and from themselves, but from the people, no less than the prince hath his power from the people, as was shewed above; for no man can imagine any difference as to the subordinate and instrumental rise of the power of the prince and of the Ephori; so that as his power is from the people under God, so is the power which they have. These publick ministers of the kingdom (saith Althus. Pol. c. 18. n. 31.) are chosen by the united and consociated body of the people or members of the kingdom, to govern, take care for, and preserve the whole associated body, and her rights, and are instructed with necessary power and authority, which to perform they are obliged by oath.

"3. Hence really the power of the people is greater than the power of any delegated or constituted by them; for the cause is more than the effect: And the parliament doth represent the people, but the people do not represent the parliament; therefore the power of the people must be greater. His power who doth constitute another, or depute him as a guardian to some business, or to oversee some of his matters, is greater

than any power which that other deputed or constituted curator hath. Parliaments then, being but as tutors and curators unto the people, must have less power than the people have. *Mandans vero* (saith Althusius, Pol. cap. 18. n. 92.) *vel injungens alii rerum suarum procuracionem est instar imperantis rogantisvis, suscipiens vero talem administrationem, instar obtemperantis, inservientis, et officium suum alteri præstantis*: So that the parliament is but a servant to the people: And the power of a master is always superior to the power of a servant as such.

"4. It is irrational to think, that the people in chusing the Ephori, or parliament members, and committing the administration of their weighty affairs unto them, did denude themselves of all that innate and radical power which they had to manage their own matters; seeing no urgent necessity could compel them to it, nor any foreseen advantage or profit which thereby could redound unto them, move them, and persuade them thereunto; but, on the contrary, much hazard and disadvantage might, at the very first, appear upon such a surrender as this. Much less could they denude themselves of that power of self-defence, which by no law of God or man they might lawfully give away.

"5. Whatever power parliaments have, it is to be exercised and put in practice for the good and advantage of the people. Their power is for the profit, and not for the hurt of the people; and to this scope and end should they level all their labours, travels, pains, endeavours, cares, thoughts, consultations, conferences, votes, deliberations, and conclusions, *L. Imperial. C. de nuptiis L. bene a Zenone C. de quadr. L. 8. C. de legibus. L. præcipimus 34. C. de appell.* See Althus. Pol. c. 18. n. 7. 37.

"6. Hence their power is not absolute, infinite, or unlimited, but hath its own bounds and limits, over which it cannot lawfully pass. They are to rule and do all for God and the good of the realm, whose servants they are. They are the "ministers of God for the people's good," Rom. xiii. 4.

"7. When they transgress their true limits (which no man will say is impossible) by commanding what God hath forbidden, or forbidding what God hath commanded in his holy law; or when they seek not the publick good of the land, but their own private advantage, they are not, but cease to be the ministers of God and of the people, and become private persons, who ought not, in these particulars, wherein they go beyond their bounds, to be obeyed: As saith Althusius, *ubi supra*, n. 41. and proveth by many authors: And the reason is clear, for no inferior can disannul God's law, or free us from subjection thereunto. They have no power to command sin, God never gave them such a power: And the people could not give it, for they had it not themselves; nor had they a power to wrong and destroy themselves, and so they could not give this unto them.

"8. If these Ephori or trustees betray their trust, and sell, or basely give away the liberties and privileges of the people, which they were entrusted with, the people cannot thereby be brought into a remediless condition, or lose their privileges without all hopes of recovery. If a tutor waste and destroy the pupil's estate, the law provideth a remedy for the pupil. If a commissioner or deputy betray his trust, the master's loss thereby is not irremediable. If an advocate betray a client's cause, the client will find some relief. "The people's right," saith Althusius, *ubi supra*, n. 124. "suffereth no prejudice, nor doth the prince——obtain any more tyrannical power, by the negligence, perfidy, deceit, collusion, treachery, prevarication, and conspiracy of the Ephori or *primores regni* with the prince——for it is unjust and absurd to affirm, that the Ephori or parliament-men can transfer unto the prince what they never had themselves, or can destroy or alienate the rights of the community, in prejudice of the whole realm; and that, contrary to the fundamental laws of the land, or such as the prince swore to maintain, and which contain the spirits and life of the commonwealth.

“ From these irrefragable truths, so consonant to right reason, and attested by learned politicians, it will clearly follow, 1. That the people’s case is not worse by parliaments, than it would have been without them. 2. That parliaments cannot tyrannize by any law or right over the people. 3. That no treachery or perfidy of parliaments, neglecting their duty or betraying their trust, can prejudice the people of their due rights and privileges. 4. Parliaments not concurring with the people in their necessary defence, cannot loose them from the obligation of nature, to defend themselves from tyranny and intolerable oppression. 5. If parliaments, instead of acting the part of trustees, tutors, curators, delegates and servants, shall turn tyrants, wolves, tygers, and enemies to the commonwealth themselves, or conspire, join, or enter into a confederacy with a tyrant, and so seek the destruction of the community, the community is allowed to see to the preservation of their own rights and privileges the best way they can. 6. And so in some cases, when the hazard is great, the loss irreparable, private persons may defend themselves against manifest tyranny and oppression without parliaments.”

Page 340, &c.

“ From all which, we think, these things will clearly follow,

“ 1. That it may be much doubted if this last convocation can be accounted by any law, either of God or man, a lawful parliament, having so palpably betrayed their trust, in ruling not for God and his interest, but against him, and enacting things to his dishonour, in selling and giving away the old and undoubted privileges of parliament; and in betraying, dilapidating, dispoing, and giving away the native and unquestionable rights and privileges of the people; and in overturning the fundamental laws of the land, and annulling the fundamental articles of the compact betwixt king and people. Seeing politicians will grant, that such are to be accounted but private persons; though we should make no mention of other informalities, which usually weaken or annul the constitution of a judicature of that nature, in point of formality, as liberty denied to some shires to choose such members as they thought fit; prelimitations used to all, the admission of some, as members not capable of an election, according to our ancient and received custom; the denying of the free liberty of debating, reasoning, dissenting and protesting, which is allowed in all free judicatories, and the carrying on of matters in a headstrong, violent, and tyrannical manner, without such previous deliberation, or serious consideration, and pondering the weight and moment of matters, as would have become a judicature by its constitution and nature so sage and honourable.

“ 2. The native, ancient, and undoubted privileges of the people are *de jure*, entire, and inviolated, notwithstanding any thing done by this late meeting, which had no power to do what they did: And therefore could not wrong the rights and privileges of the people.

“ 3. That there is no hope nor human probability now left, that ever the people of Scotland shall have a parliament by the course laid down, or inferior judges to resent the injuries, oppression, and tyranny wreathed closer about their necks; so that there was not, neither is there, any hope (so long as the course of defection standeth, and is not overturned) that parliaments now, or the *Primores Regni*, or inferior judges, shall concur for the suppressing of tyranny, bearing down of oppression, defection, and apostasy according as they ought.

“ 4. That while matters are so, the people of Scotland are as if they had no parliament, nor inferior judges, for that end; and cannot be supposed or imagined to be in a worse condition, than if they never had any such to protect them from the tyranni-

cal and arbitrary lust and domination of princes ; and therefore must be allowed to use the privilege and liberty which nature hath granted unto them to defend themselves from unjust tyranny and oppression of parliaments, and inferior judicatures, when their representatives palpably betray them into the hands of their adversaries ; yea, and conspire with their adversaries against them and their privileges ; and instead of patrons and defenders of their rights and privileges, turn enemies thereunto, and take courses utterly to destroy all."

A Copy of a Letter from a Gentleman at London, to a Lord at Edinburgh, concerning the Scots Peerage.

This Tract, though here inserted as relative to the representation of Scotland, is later in date than those which follow, and refers to a proposed alteration in the representation of the Scottish peerage mentioned by Burnet. The Duke of Hamilton having been created Duke of Brandon by a British patent, the Scottish nobles were desirous that he should vacate his seat as one of the fifteen peers representing Scotland, and sit in virtue of his new creation ; but this claim was rejected by a very narrow majority. The indignation of the Scottish peers was so great, that they signed a representation to the queen, complaining of this act of power as a breach of the Union, and a disgrace to their body. The queen made it part of a message to the House of Lords, that she desired their advice and assistance to quiet the uncasiness under which the peers of Scotland laboured. In the words of Burnet, "The Lords entered upon the consideration of that part of the queen's message, that related to the peers of Scotland, and it took up almost a whole week. The court proposed, that an expedient might be found, that the peers of Scotland should not sit among them by election, but by descent, in case the rest of the peers of that nation should consent to it: A debate followed concerning the articles of the Union, which of them were fundamental and not alterable ; it was said, that by the Union no private right could be taken away but by the consent of the person concerned ; therefore no alteration could be made in the right of the peers of Scotland, unless they consented to it. It was afterwards debated, whether an alteration might be made with this condition, in case they should consent to it ; or whether the first rise to any such alteration ought not to be given by a previous desire.

"This was not so subject to any ill management ; the court studied to have a subsequent consent received as sufficient, but a previous desire was insisted on, as visibly fairer and juster."—BURNET'S *Hist. vol. vi. page 1171.*

While this matter was in discussion the Scottish peers seceded from the house, but returned after a few days absence, induced, according to Burnet, by secret forcible arguments. It is this circumstance which has led the essayist to treat them with such disrespect. Their lordships' minds being quieted, the proposal of rendering their seats hereditary dropt of course ; but it was renewed in 1719, when the scheme was to introduce twenty-five hereditary Scottish peers instead of sixteen elective. Six were to be added to the number of the English peers, and from thence the peerage was to be fixed. But this proposal also was abandoned, and it is sufficiently obvious, that it could never have been rendered palatable either to the Scottish peerage at large, or the British House of Commons. In 1782, justice was done to the Scottish peers in the main question, in consequence of an unanimous report of the judges, "That the peers of Scotland are not disabled from receiving, subsequently to the Union, a patent of peerage of Great Britain with all the privileges usually incident thereto."

MY LORD,

Though I have not any personal concern or prospect to the Scots peerage, I cannot but entertain a very high regard for that once illustrious body, and think myself bound to acquaint you, that I have too just grounds to believe, that what was lately designed against the very being thereof, will be once more attempted in this, or some subsequent session of the present parliament.

I must own, that I was much surprised at the supine silence, with which such of the Scots peers, who had no design or hopes of being amongst the number of those predestinated to be elected, nor influenced by the threats or promises of any power whatsoever, did receive the accounts of this intended violation of their rights, as it afforded an handle to represent them in this place, as a pack of despicable, spiritless creatures, who might be kicked and cuffed at pleasure, or as tacitly submitting to, and approving of, what was designed against them: And give me leave to tell you, if they take not care timeously to exert themselves, and publickly manifest a spirit of opposition to this measure, they are for ever utterly undone: And as a vacancy has happened by the Marquis of Annandale's death, if they take not such measures as will evidently declare their aversion to the scheme, particularly by choosing such a representative as will not betray and desert his constituents, it will, in all human probability, be the last occasion Providence will cast in their way, of providing for their future honour and prosperity.

Whence this strange indolence proceeded is to me unaccountable: The Scots peers were formerly taxed with being proud, ambitious, and avaricious; but surely such as tamely submit to this scheme are unjustly accused. One would think they had sufficiently humbled themselves, by being reduced to the condition we find them in at present; but, if once the new scheme take effect, what will remain to the reprobate peers, but empty despicable titles, and the melancholy reflection of what they and their predecessors formerly enjoyed? How contemptible must they be, when they have not the privilege of the meanest freeholder, I mean that of being represented any manner of way in the national assembly of the states? Being thereby reduced to a state more suitable to slaves than members of any civil society, whilst a parcel of other peers, the best of them but their equals, and some of them far inferior in personal merit, or the antiquity and dignity of their families, enjoy, at their cost, the full fruition of the most extensive privileges of the British peerage. In days of yore, the interests of the crown and peers of Scotland were so interwoven, that they became reciprocal; these supported the former, who, on that account, cherished and rewarded them: But henceforward, when their assistance will not be wanted in the only point remaining to render them significant, viz. the election of their own representatives, from whence can they imagine or expect to reap any the smallest portion of the regal bounty? Our kings now-a-days have too many pressing demands upon them, to think of bestowing favours on any set of men, who are but useless drones in the commonwealth, and can be of no service to them, and from whom no danger can be apprehended; so that these reprobate peers may bid adieu to all pensions and offices, to all honours and preferments, and their children need not expect to be provided for as formerly in the army and judicatures. The hereditary peers and commoners will be henceforward entitled to these, whilst the families of the other will be left to starve and dwindle away into the most abject forlorn condition. These, and the like obvious considerations, should, I humbly presume, deeply affect such (if any such there be) who stupidly incline to grasp at any present benefit or temptation, in prejudice of the future prosperity of their families, and prevail with them to look one inch before their noses, and behold the helpless, despicable condition, into which, by their own act and deed, they will irretrievably plunge themselves and their posterity; and resolve for their own sakes to make one noble stand and effort to prevent their utter misery, in which, though they should not

succeed, they'll have the satisfaction of having acted as became men of honour; and the approbation and pity of all the impartial part of mankind; and in order thereto, no time, nor no pains, should be neglected, every selfish personal view should be postponed, and such joint measures concerted and prosecuted, as may most probably tend to promote and advance so just and honourable a cause; and whilst we have so good and gracious a king, and so hopeful an heir to succeed him, there is no danger to be apprehended, nor reason to doubt of success in the undertaking. Here then is a noble opportunity for a person of distinction and abilities to establish his character, and raise his reputation, by settling himself at the head of those, who with him will concur in opposing a measure so unjust and destructive to the body of the Scots peerage, and in all probability attended with consequences pernicious and fatal to the liberties of others.

For this matter does not singly affect the peerage, as it seems to interfere with the general interest of all Scotsmen. First, As the laying aside the representation of the peerage, and in its room setting up a certain number of hereditary peers, is a manifest injustice to such of their fellow-subjects as are thereby without any crime forfeited of their just rights and privileges, and a bare-faced infringement and violation of a fundamental article of the Union, by which that representation is stipulated perpetually to remain. And consequently, in the second place, a precedent is laid down for subverting all the other articles in favour of Scotland and Scotsmen: For if this fundamental article can be abrogated, we have no security for our church government, our civil rights, our judicatories, the privileges and communication of trade, the regulation of the land-tax, the exemption from some certain duties and imposts, and the like, that does not rest upon the same precarious footing, and is not exposed to the like subversion, if so be, it shall be judged proper for the utility of Great-Britain, an handle fitted for all blades, and a pretence to introduce the grossest absurdities, and greatest abuses, when cherished and supported by an evil administration.

Nay, who can tell, but after the demolishing the representation of the peers, it may enter into some politicians heads to change likewise the constitution of the Scots commoners, by lessening their number in the House of Commons; we know how much some affect to have the Union rendered more and more complete, as they term it, by lessening the power and credit of our judicatories, and abolishing every thing that derives its origin from the Scottish constitution; and it is not a far-fetched thought to dread, that such may incline to open a door, and introduce the scum of the people into the privilege of choosing the representatives of shires, as is practised in England. And what a stroke this would be to that great bulwark of our liberties, the resolute unbiassed Scottish barons, is too obvious to need any proof; and yet, if such an attempt should be made, the stipulations of the Union, reserving to the barons their ancient rights and privileges, will be of no significancy, when this precedent of the peers is thrown in their teeth.

In the next place, as the trouble and expence the crown is said to be at in procuring and managing a majority of the Scots peers at the election of the sixteen (which, if true, ought, and may be prevented by severe laws made for that effect, without so manifest a subversion of the constitution) is one of the chief reasons for pushing this measure; may not the same motives be thought sufficient to render arduous of the several districts of the Scots boroughs necessary, and to pitch upon fifteen boroughs, in which, for the future, shall be lodged solely and perpetually, the representation of that state in parliament? Since thereby the trouble and expence which the crown may, nay is truly said to be at, in procuring an interest in the several boroughs of these several districts, will be prevented. This case is so near akin to that of the peerage, that the same motives affect both, and the same powers may overturn both; so that the fate of the one is the passing-bell of the other.

I know there are some of our countrymen who are very indifferent about the prosperity of the peerage; because indeed that state hath lost much of its pristine honour and respect, by such shoals being introduced during this and the last century, many of whom had no just pretensions thereto, either from their birth or personal merit, and because the peers in general have, under all administrations, contributed too much to their country's felicity. But let such consider, that it is hard the just should suffer with the unjust, and that there are still some unblemished peers, the representatives of ancient families and glorious progenitors, and that the punishment of a few guilty and obnoxious after such an unprecedented manner, may pave the way to ruin many that are innocent, and introduce the means of subverting all that is dear to a free people.

I might likewise here take notice, that it is very amazing that the peers of England, so jealous of their liberties, should seem so fond of this alteration of the Scots peerage, seeing an encroachment upon any branch of the constitution is a precedent to a total subversion of the whole. And as the Scots peers have, under the present constitution, as unquestionable a right to elect their own representatives, and by them to be represented in the House of Lords, as have the English peers to sit personally in that house, the same power, and the same utility of Great-Britain, which can deprive the Scots peers of their right to elect and be represented, may likewise deprive some, or all the English peers (as happened in old Noll's days) of their particular privileges: As both their rights are equally founded and secured, both of them are equally subjected to the same powers, and the same political maxims and measures; and if the Scots peers shall be handled after so barbarous a manner, old as I am, I may live to see the state-cobblers of this generation reduce the English peers to the same deplorable condition; for what has been may be again, especially when supported by so signal and fresh a precedent.

I should now, my lord, make a great many apologies, for presuming to enlarge so much on a subject, in which your knowledge very far surpasses any thing I can pretend to; but as it proceeded from love and zeal to my own country, and that this perhaps may serve as an index to point out some heads for your lordship to enlarge upon and improve, I expect your pardon, and that you will do me the justice to believe I am, with the most profound respect,

Your, &c.

The Case of the Commons of that Part of Great Britain formerly called Scotland, with respect to the Election of their Representatives and Members to Parliament.

The law of Scotland respecting the exclusion of peers' eldest sons from the right of voting at elections as freeholders, is accurately laid down by Mr Wight; and his doctrine has been since confirmed in the solemn case of Lord Daer, against the freeholders of Wigton, affirmed in the House of Lords 23d March, 1793.

"The eldest sons of peers, although infest in lands holding of the crown, of the extent or valuation prescribed by law, are likewise incapable of electing, or of being elected, and therefore cannot be admitted to the roll.—For this Spottiswood assigns the following reasons: That they are *quasi* peers of the realm, and have a precedency allotted to them; that, by their birth, they enjoyed a privilege to sit in the parliament of Scotland, and to hear the transactions in the meetings of the estates of the kingdom, in order to fit them for being worthy members of that august assembly,

when upon the death of their fathers they should sit in their bench; and that, in ancient times, they were allowed to sit and vote in parliament as proxies for peers. But although, for a long time before the Union, the elder sons of peers were not allowed to sit in the parliament of Scotland as representatives either of shires or of boroughs, the records afford the most complete evidence, that, in more ancient times, and before the representation of counties came to be thoroughly established, they sat in the same parliament in which their fathers attended as peers. Instances of this are to be found in the parliaments 1478, 1481, and 1484; and in the list of the parliament 1560, given in Keith's History, page 146, we find William, Master of Marishal, John, Master of Maxwell of Terriglis, Patrick, Master of Lindsay, Henry, Master of Sinclair, and William, Master of Glencairn.—Perhaps they sat on these occasions in virtue of their happening to be possessed of landed property; and although we meet with no explicit enactment of the legislature abolishing this practice, no instances of its being continued after the last-mentioned period are to be found in the records. It is also certain, that, for a considerable time before the Union, the eldest sons of peers were understood to be incapable of representing either counties or boroughs; and as the act 1707, cap. 8, declared that none should be capable to elect, or to be elected, as representatives of shires or boroughs in Scotland, but those who were entitled to that privilege by the laws and constitution of Scotland, they were thereby effectually debarred from having any voice in the election of the forty-five commoners, to be returned from that part of the united kingdom to the British parliament; and a declaration to that effect was accordingly made by a resolution of the House of Commons, in the parliament of Great Britain held in the year 1708. They may, however, be elected for any county or borough in England, no such prohibition taking place in that part of the united kingdom.”—*Inquiry into the Rise and Progress of Parliament in Scotland*, by Alexander Wight, Esq. p. 269.

ANCIENTLY the parliament of Scotland was an assembly where all that held of the king were bound to attend him, which was expressed by their being bound to give suit and presence; and the forms of parliament having gone into some disuse, during the minority and imprisonment of King James the First of Scotland, there was an act made in that reign requiring the personal attendance of all that were bound to it.

Ja. I. parl.
3. cap. 52.

But in the seventh parliament held in that reign, *anno* 1427, the small barons were allowed to send commissioners, and were charged with the fees of their deputies; which is the first act whereupon the elective members were received in parliament.

Ja. I. parl.
cap. 7. 101.

It does not appear that this form of sending commissaries did take full effect at first (for reasons too long here to be mentioned) nor indeed until the reign of James the Sixth of Scotland and First of Great Britain. In the eleventh parliament of Scotland, held under that prince, two acts were made which concern that case. By the recital of the first it appears the king intended to restore the ancient forms of parliament, which had suffered alterations during the minorities and troubles that happened after the death of King James the Fifth, his grandfather. And therefore it is there provided, that there shall be no confusion of persons of the three estates; that is to say, no person shall take upon him the function, office, or place, of all the three estates, or of two of them, but shall only occupy the place of that self-estate wherein he commonly professes himself to live, and whereof he takes his stile, *id est*, designation.

Ja. VI. parl.
11. act 33.
and 114.

By the latter, the manner and qualities of election and electors was better settled than it had been to that time; and since that act, which was made in the year 1587, the elective representation has taken place.

This last act was made on the face of, and to render effectual that above-cited law made in the time of King James the First, and consequently the election allowed to be made in favour of, and to represent the small freeholders.

It is true, that several of the freeholders, who had great estates, took the advantage of this law, and in place of coming personally to parliament, chose to join in electing of commissioners or knights for the shire with the freeholders.

But as the designation of small freeholders was never meant to comprehend noble-

men and the eldest sons ; so they never pretended to elect or be elected, except in one case, where they were found incapable, as will by and by be made appear.

Nor indeed would it have been allowed, that they could elect or be elected, because of the fore-cited act, whereby it is provided, that no man shall take upon him the function, office, or place of more than one of the states, and that of the estate whereof he makes profession, and takes the stile ; now the eldest sons of peers took stiles suited to the estate and quality, and were not charged with the expences of the fees due to the commissaries, or, as they were afterwards called, commissioners from counties. And there being an act made in the reign of King Charles the Second, declaring, that it is only allowed for noblemen and bishops to subscribe by their titles, the eldest sons of noblemen have ever continued to subscribe by their titles, as being included in the general name of noblemen : So that on the whole matter it is plain, that first the peers eldest sons were never understood to be small barons or freeholders, nor could congruously be so understood ; for the eldest son was commonly called the *fiar*, and was in a manner *suus hæres, et parente vivo, quodammodo rerum paternarum dominus*. Secondly, Conform to this they took stiles, and made profession of one of the estates, separate from that of freeholders and burgesses. Thirdly, They enjoyed an immunity from commissioners fees. And, Fourthly, They never in the course of an hundred and about thirty years, and indeed never since electors came to any kind of form, pretended to elect or be elected. On the contrary, there were, Fifthly, Two very plain and positive decisions against them, one in the parliament 1685, noted for the too great zeal to the prerogative, and the other in the meeting of estates, which restored the liberty of that country, both deciding the case now in question in express words : As these cases hereunto subjoined will abundantly shew.

33 act 11.
parl. Ja. VI.

21 act sess.
3. parl. 2.
Ch. 11.

This being premised, it will be no hard matter to determine the question, if, or not, the eldest sons of peers in Scotland were, at the time of the Union, by the law of Scotland, capable to elect or be elected for shires and boroughs there ; for if they were not capable then, that they cannot be admitted now is as certain, as that the Treaty of Union, and the act settling such elections, which is a part of it, is the inviolable rule to direct in the decision of the case.

But there has been a printed paper delivered at the door of the honourable House of Commons, pretending to offer reasons why the Scots peers eldest sons should be allowed to be elected to sit in the House of Commons, which is next to be considered ; and to do it fairly, it shall be inserted word for word, with observations to clear the mistakes it contains : Only it is to be noticed, that the very title is in a begging and precarious stile, as if it were a matter wherein there were no solemn rule established, but which might be governed by indulgence, or allowance, or grounds of expediency.

Two Records taken from the Parliament of Scotland.

In the Parliament holden at Edinburgh, the 23d day of April, 1685.

“ In respect the Viscount of Tarbat’s eldest son, who was elected one of the commissioners for the shire of Ross, by reason that his father is nobilitat, cannot now represent that shire, as one of their commissioners, warrant was given to the freeholders of that shire, to meet and elect another fit person in his place.”

Extracted forth of the Records of Parliament, by me, David, Earl of Glasgow, Lord Clerk Register.

Sic Subscribitur,

GLASGOW, Cl. Regr.

At Edinburgh, the Eighteenth of March, 1689.

“The meeting of the estates having heard and considered the report of the committee for elections bearing, That in the controverted elections for the burgh of Linlithgow, in favour of the Lord Livingston and William Higgins, it is the opinion of the committee, That William Higgins’s commission ought to be preferred; first, in regard of the Lord Livingston’s incapacity to represent a burgh, being the eldest son of a peer; and, secondly, in respect William Higgins was more legally and formally elected by the plurality of votes of the burgesses: They have approved, and approve the said report in both heads thereof, and interpone their authority thereto.”

Extracted forth of the Records of Parliament, by me, David, Earl of Glasgow, Lord Clerk Register.

Sic Subscribitur,

GLASGOW, Cl. Regr.

Remarks on the Reasons offered for the Peers.

By the Act of Union it is declared, “That none shall elect, or be elected, to represent a shire or burgh in the parliament of Great Britain, from this part of the united kingdom (Scotland) except such as are now capable by the laws of this kingdom to elect, or be elected, for shires or burghs to the said parliament.”

These are the words on which the question depends.

But by the ancient constitution of Scotland, and the standing laws of that kingdom, peers eldest sons were capable of electing, and being elected, as will appear from the following standing unrepealed laws.

This is to be proved.

In the 113th act of the 11th parliament of King James the Sixth of Scotland, “All tenants *in capite* to the king, in each county, who have a forty shilling land, which generally amounts to 60*l.* per annum, should choose two of their own number to serve in parliament; and that all freeholders, under the degree of prelates and lords of parliament, should be summoned to the election.”

There are more things than one to be mended, but passing by the amount which this paper puts upon a forty shilling land, it is well to be noticed, that the words, under the degree of prelates and lords of parliament, do even comprehend lords eldest sons; for, first, these words describe all who were not under the notion of small freeholders, or free-tenants, mentioned in the fore-cited act of James the First. Now, that never did comprehend peers eldest sons; for, secondly, the father and the son were, in the eye of the law, as conjunct persons, which could be made out by many instances; but this one may suffice, *viz.* That any vassal holding of the crown-ward, or by military service, could not alienate the whole *fie* not even to his second son; and if he did, the *fie* returned to the crown, which, by a term well known in Scotland, was called *recognition*. But if a father should convey his estate to his eldest son, it was sustained as good: Why? because this, in the construction of law, was no alienation; and the eldest son was commonly called *fiar*, for to him at last the estate behoved to descend, seeing indeed the ancient custom of Scotland did not admit of any alienations without consent of the crown, in prejudice of the heir of the investiture; so that the father and son were of one estate in all publick accounts, and the younger sons were

considered as strangers. Now this is the stronger in this case, because, as has been said, the appearance in parliaments was a duty upon the father, with respect to that estate whereof the son was heir; for the nobility in Scotland anciently sat as dignified freeholders. Secondly, To this it may be added, that the eldest sons of peers, receiving dispositions or conveyances of any part of their father's estate, are not properly said to acquire a freehold, *præcipere hæreditatem*; and therefore are liable as heirs for their fathers debts. So that the words, *Lords of Parliament*, must be taken in the sense of these laws, so as to comprehend all that are not freeholders, and especially all that make profession, and assume the style of the estate of peers; and that these words, *Lords of Parliament and Noblemen*, are synonymous, every man, unbiassed, must acknowledge: Now that under the word *Noblemen*, the eldest sons of peers are comprehended, is very evident from the above act 21, sess. 3, parl. 3, Ch. II. especially as to the privilege of subscription above-mentioned. Thirdly, That has been abundantly cleared by 130 years practice, and the fore-cited decisions, in which the peers as well as commons must be included, being done in an assembly composed of both.

All the eldest sons of peers, who at present claim their being elected from North-Britain, are precisely under the compass of this law, being all tenants *in capite* to the king, of lands of the said value, are under the degree of prelates and lords of parliament.

Precarious and redargued by what is above.

By the 35th act of the parliament of King Charles the Second, "All heretors, (*i. e.* freeholders) who hold forty shilling land of the king's majesty *in capite*, shall be and are capable to vote in the election of commissioners to parliaments, excepting always from this act all noblemen and their vassals."

This is another wrong gloss on the words of the statute, and taken off by what is above.

This act is not only a plain repetition and confirmation of the former act, and of the privilege therein contained, belonging to peers eldest sons, but likewise, by an exception therein mentioned of noblemen and their vassals, it doth, in a very extensive manner, confirm these privileges to the noblemen's eldest sons, since they are not included in that exception, according to that maxim, *Exceptio affirmat regulam in non exceptis*.

What is said here on the general maxim, *Exceptio affirmat regulam in non exceptis*, is like all arguments of that kind, liable to many exceptions; and in this case it is plain, that this exception is none of the most deliberate or regular; for the act having vested the privilege of election in the freeholders of the crown, subjoins an exception of lords and their vassals, although the vassals holding of lords were not so much as comprehended in the rule, which is sufficient to prove, that the exception has not been very exactly expressed, and therefore not much to be minded.

This too is confirmed by an act of parliament in 1661, and other laws, which need not be here repeated, the two former acts being sufficient to prove, that the peers eldest sons have, by the standing laws of Scotland, a right to elect and be elected.

This appeal to the act of parliament in 1681, and in general to other laws, is very blunt; for in the act of parliament 1681, there is not one word that favours the eldest

sons of peers. As to the other laws referred to, we may suppose they are very obscure or little to the purpose, or else they had been mentioned more expressly.

It is objected against this, that, by the custom of Scotland, 'twill appear when any peers eldest sons were elected, the parliament would not allow them to take their places; and of this two instances are given, one of Mr Mackenzie, eldest son to the Lord Viscount of Tarbat; the other of the Lord Livingston, eldest son to the Earl of Linlithgow.

To this it is answered, Instance of precedent and customs are sometimes sufficient to found a right, where there is no law to the contrary; but where there is a right established by a plain positive law, as in this case, no precedent can annul that right.

The argument is not fairly stated. For, first, the freeholders and barons do not barely plead custom, but they plead express law, inasmuch as by the fore-cited act, no person was allowed to take the place of any two of the estates of parliament, and that the eldest sons of peers had taken the stiles suited to their dignities, and the privileges and immunities that belong to noblemen only by the law, as being comprehended under that general designation, and the contrary practice of 130 years, with the decisions, are not mentioned to prove a custom, but to declare and strengthen the law.

Besides, by examining the circumstances of the above-mentioned instances, it will appear they cannot come up to the point insisted on.

For in that instance of the Lord Livingston, the reason for throwing him out was founded upon two points; one was, that Mr Higgins, who stood against him, had most votes, and if his quality, as being a peer's eldest son, had been a legal objection against him, that parliament would neither have remitted to a committee of elections, nor would that committee have made the strict enquiry they did, which of the two candidates had the majority of votes: And the other part, of his being a peer's eldest son, was mentioned, because there was then a standing law in Scotland, that no person should represent a borough but a trading burgess, which he was not.

Here is a vain attempt to remove two very clear and positive precedents; for it is very well known, as to the Lord Livingston's case, that the whole reasoning was upon the incapacity of the eldest sons of peers; and that, not only as to boroughs, but in general to be elected as commoners to serve in parliament; as may appear from this, that there were abundance of commissioners for boroughs admitted at that very meeting, who were also as far from being residing or trading burgesses, as the Lord Livingston.

As to the other instance of Mr Mackenzie, 'twas a voluntary act of his own, at the desire of his father, the Lord Viscount of Tarbat, which ought not to prejudice any other man who designs to maintain his own right.

This is a hard shift to avoid a clear precedent, it is not a fact of Mr Mackenzie's, or my Lord Tarbat's, that they stand upon, but the deed of the parliament, whereof the words are too strong to admit of an evasion, viz. in respect the Viscount of Tarbat's eldest son, who was elected one of the commissioners for the shire of Ross, (by reason that his father is nobilitate) cannot now represent that shire as one of their commissioners, warrant was given to elect another in his place.

Besides, 'twill appear, that the last parliament of Scotland was not only fully convinced that peers eldest sons had a right by law to elect, and to be elected, but were like

wise resolved to maintain that right: For in the last session of that parliament, the commons, wisely considering that the two late instances above-mentioned were not sufficient to overthrow such ancient and just laws as the eldest sons of noblemen founded their right upon, they thought it necessary to have a law for excluding them; and to that end offered a clause to be added to the Union Act, in these words: "That no peer, nor the eldest son of any peer, can be chose to represent any shire or burgh of this part of the united kingdom in the House of Commons." And made use of these two very instances to promote the clause against the peers eldest sons; but that parliament thought fit to reject it, and agreed to the before-cited clause in place thereof, designing plainly by this to preserve to the peers eldest sons their right of electing, and being elected, according to the above-recited laws.

This argument is by no means to be allowed of; for we must take the words of the law, and must not go back to the secret histories or circumstances that past at the making of these laws; were that but once admitted, then laws would be liable to arbitrary interpretations. But, in the next place, it is to be remembered that in the parliament of Scotland held in the year 1690, though the peers did press very earnestly to have it declared that the eldest sons might be capable to elect and be elected at that time, when there was an additional representation granted to several shires in Scotland, they could not prevail; on the contrary, the act past without any such declaration.

It is also urged against peers eldest sons, that never any of them did sit, which argues a prescription against their right of sitting: To which it is answered, Where a plain right is founded upon a positive law, the intermission of the exercise of their right can never be extended to make void that right, no more than, if a freeholder of England should neglect, during his life, to exercise his right of election, it should be insisted on against his son's having a right to elect after his father's decease; and indeed the true reason why the Scots peers eldest sons did forbear making use of their right of being elected, was, because the peers and commons in the Scots parliaments did sit and vote in one and the same house, and the peers being numerous, did avoid bringing in their eldest sons into the house, lest the commons should have been uneasy at it: But this reason cannot take place since the Union, and the peers eldest sons are at freedom to exercise their lawful rights when they think fit.

It were to be wished that the peers of Scotland had still avoided to bring in their eldest sons into the House of Commons, lest the commons of Scotland should thereby have been made uneasy; nor indeed does the Union make any alterations in the case; for the commons can never bear contentedly that it should be in so publick a manner owned at the door of the House of Commons, That the peers only avoided the bringing in of their eldest sons, as if it were in their power to bring them in every where in Scotland, and thereby to confound the persons of the three estates, and swallow up the representation which is reserved to the commons of Scotland. From this part of the argument it is evident what will be the consequences of admitting the peers eldest sons to sit in the house, viz. The peers themselves, their fathers, will no more avoid the bringing in their eldest sons for any uneasiness it may create to the commons of Scotland.

Besides, it is impossible that the history of the last session of parliament in Scotland is so much forgot, as to give place to this construction put on the vote of parliament mentioned on the other side; it is very well known that many of these who voted for repealing of the clause, did not at all doubt that the noblemen's eldest sons were incapable to elect or be elected; but people were unwilling to enter upon new questions at that time, when endeavours were used to preserve a good correspondence in the last parliament of Scotland.

It is further urged against peers eldest sons, that to admit them into the representation of the commons of Scotland would be of dangerous consequence; because the influence of the peers there is such, that none else will be returned.

'Tis evident that this is a very ill-founded suspicion, since there are only four lords eldest sons returned among the forty-five commons to this present parliament: But allowing this supposed influence of the peers to be true, 'twill be in no sort remedied by excluding their eldest sons; for by the same influence they can elect their younger sons, or other relations and friends. And, upon the whole, it would be a very great hardship, and very unequal, to exclude Scots peers eldest sons from representing counties or boroughs of Scotland in the House of Commons, when at the same time they can represent, and be chose for any county and burgh in England: And when the peers of Scotland have, for the common good of those kingdoms, reduced themselves to so small and uncertain a representation in the House of Peers, it would be a hardship to exclude their eldest sons from sitting in the House of Commons.

It is very true the House of Commons have been always jealous of peers intermeddling in matters of elections; and certainly for that same reason ought to be very jealous of admitting the eldest sons of the peers of Scotland, so directly contrary to the treaty, and so dangerous of itself, especially when the distance of that place from the eye of the house, and the great powers and superiorities of the peers of Scotland, are considered. The peers have indeed very honourably contributed to the Union, but it is upon terms contained in the treaty, and in the act, which is a part of the treaty. And they can't be allowed now to dispute what has been already settled for that end. The rest of the reasoning of this period comes in short to this: There is no preventing the influences of peers in Scotland at the election there, and therefore let us even take in their eldest sons. But how concluding this is every man at first sight may perceive.

The representatives of Scotland in the House of Commons urge in their own, and in behalf of all the commons there, their ancient constitution and law, reserved by the treaty; and for the same reason will be far from wishing the least alteration of what has been received in England; nor ought the custom of admitting the eldest sons of peers in England be made use of as an argument in this case; for besides that this is to argue directly against so solemn an establishment from extrinsick reasons, it is certain, there is an obvious disparity, on many accounts, between the power and case of the peers and commons of Scotland, and the case of these in England. And though it is impossible that the peers of England can find eldest sons to supply 513 members in the House of Commons, yet the peers of Scotland may easily supply the place of 45, which is all the number allowed to represent the commons of Scotland.

To conclude, It has always been looked upon as the excellency of the Scotch constitution, that their representation was full and complete: But if peers eldest sons be excluded, there would be many of the most considerable estates and freholds in Scotland not represented, which would overthrow the fundamental maxim, That no man can be taxed but by his own consent: Nor can it be doubted, but the freeholders of the several counties and corporations in Scotland are certainly the best judges whether or not it is their interest and privilege to elect a peer's eldest son, who offers his service to them, and they can reject him at pleasure. Therefore it is humbly conceived, that this honourable house will always have a due regard to the elections of such persons, whose right is founded upon plain and positive laws, since no objection is urged against that right, but some very groundless jealousies, and two very lame instances, which were not at all regarded, but rejected by the parliament of Scotland, as above-mentioned.

To conclude, The excellency of the Scots constitution, as to this part of the representation, ought no doubt to be preserved entire, and the eldest sons of Scotch peers excluded, since the greatest part of the estates and freeholds in Scotland are represented by their fathers, who sit in a higher house. And since the constitution of their forefathers did not permit the confounding of the function, office, or place of the estates, but did confine all sorts of persons in Scotland to that self-estate and place, wherein they commonly profess themselves to live, and whereof they take their stiles or designation: And seeing also the peers eldest sons did shine with their fathers honour, and were always understood to be comprehended under the general word of *noblemen*, in contradistinction to the freeholders; and, as such, were found incapable by the parliament of Scotland, in the fore-cited solid and clear instances.

A brief View of the late Scots Ministry; and of the Reasons the Scots had to wish for a Deliverance from them by the Union. 1709.

The constitution of Scotland was not immediately ameliorated by the Union. A principal argument for that measure, in the minds, if not in the mouths, of many, was, that the kingdom would be freed from the subaltern oppression of what may be called provincial government. But the Duke of Queensberry, and other statesmen, who transacted the Union, had very opposite views. That statesman, then united with the whigs, conceived, that by extinction of the Scottish parliament, he might, without opposition, govern the kingdom of Scotland through the medium of the privy council. "A new commission was issued for the privy council, excluding such as opposed the Union.—A subordinate, yet distinct administration, was delegated by Godolphin, and engrossed by Queensberry, Seafield, Mar, and others; through whom alone access was obtained to the queen. Twenty-five members, mostly their own creatures, were appointed commissioners to distribute the equivalent according to their instructions; and as the writs were directed, and the returns made to the privy council, the management of elections, and the nomination of representatives to both houses, were placed in their hands. They promised Godolphin the most unreserved support; but the *squadrone* party applied to the whigs to dissolve the administration of the privy council from which they were excluded themselves. The situation of Scotland would have been infinitely worse than before the Union, if an institution were preserved which was at once a court of justice and a council of state, wherein policy must ever predominate over the laws. While the legislature remained entire its oppression was restrained; but if a distinct administration were permitted to subsist, there was no power in the nation to procure the redress of grievances from the British parliament; the complaints and applications of the people would have been intercepted; and, to suppress their murmurs, the privy council must have soon degenerated into the tyranny practised in former reigns."—LAING's *History of Scotland*, vol. ii. p. 342.

The evils pointed out by this acute historian are well illustrated in the following Tract. The writer appears to have been one of the *Squadrone Volante*, a party in the Scottish parliament first formed in 1705, out of the friends of the administration of the Marquis of Tweeddale, which was displaced when Queensberry was restored to office. They obtained their name from affecting to preserve a balance in parliament between the administration and the Jacobite party. Their interference now served to rescue the kingdom from the arbitrary government of Queensberry.

"From the same disinterested and enlightened views which produced the Union, the abrogation of the privy council was concerted by Lord Somers, with the principal whigs. A bill was introduced to render the Union more entire and complete. The same privy council was proposed for the whole island; the returns of the elections were to be transferred to the sheriffs; and, to supply the jurisdiction of the Scottish council, justices of peace, an institution often attempted, and the justiciary court to make regular circuits twice a year. An amendment to prolong the duration of the privy council till October was rejected, as a new device to secure the approaching elections for a new parliament; and the first of May was prefixed for its dissolution, that the

anniversary of the Union might introduce the same government through the whole island. So variously are our feelings modified and affected by personal interest, that the loss of a venerable institution was deplored by those who had sacrificed the constitution and independence of their country without a pang of regret."—*LAING'S History of Scotland*, vol. ii. p. 343-4.

IN order to give you a better view of our present state, I must beg leave to put you in mind, that ever since the union of the crowns in 1602, we have had a continued struggle with our ministry, who were for most part either tools to yours, or (if not mean enough to stoop so low) entirely at the devotion of such of our princes as aimed at an absolute authority over us both. 'Tis well enough known, that the invasion of our constitution by those ministers, which led the way for the like attempts upon yours, laid the foundation of the civil war, and of all the mischievous consequences that attended it, till we and you were both swallowed up by a standing army.

'Tis not unknown to you, that we made the first publick step towards recovering ourselves and you both, from the anarchy which ensued; and though we paid dear for it, were also the first who contributed to the Restoration.

'Tis needless to recount how ungratefully we were rewarded, and that we were so much disappointed of our expectations, in recovering our liberty under King Charles II., that we were more oppressed than ever.

Being full freighted however with loyalty, and bearing an inviolable affection to the royal line, we settled the Duke of York's succession, when you were for excluding him. Notwithstanding which, instead of our being more favoured on that account, he subverted our constitution at once, and, by despotical proclamations, such as none of his predecessors durst ever issue, he pretended to annul all the laws that established our Reformation. This, with the heavy oppression we lay under in other respects, made us chearfully concur with you in the late happy Revolution; when, having found by experience, that we could promise ourselves no security in any thing, while we were in a separate state, our convention did then make the first motion for an union of the nations as well as of the crowns.

But instead of that, you know what hardships we suffered in King William's reign by the influence of our ministry, in the matter of our African company, Darien colony, &c. which put us upon endeavours to secure ourselves in a separate state, by obtaining limitations upon the next successor after the determination of the entail, as 'twas settled by our declaration of rights at the Revolution.

I must beg leave to insist a little upon this, because it will set what follows in a clearer light, and help to discover the temper of the then Scots ministry; as also with what view they since fell in with the Union, and at the same time will justify the honest part of our nation, for endeavouring to be delivered from such a set of men, which was one of the main reasons that brought many of them into the Union, though hitherto they have been disappointed of their expectations.

Those of our parliament-men, and others, who were true friends to the protestant succession, being sensible of what we must suffer under a popish prince, and knowing very well that such limitations, as were necessary for securing our religion and liberty, would meet with great opposition from our courtiers, they thought it necessary in the first place to secure themselves against a popish successor; therefore, in the session of parliament, after King William's death, in 1703, they proposed a bill for an oath to abjure the Pretender, which carried a first reading; but how it came to be quashed, and not to pass into a law, the Duke of Q——, then her majesty's high commissioner, and his friends, are supposed to be capable of giving the best account. Besides other reasons which our honest patriots had to press that bill, 'tis too well known to be denied, that by the change then made in the Scots ministry, and other proceedings, things looked with a very bad aspect for the revolution interest in Scotland; inso-

much that a letter was procured from her majesty in favour of the nonjurant clergy, which emboldened them to propose a toleration in parliament, to be established by a law, without obliging them to own her majesty's title; and one of the principal arguments they insisted upon for obtaining this liberty, was, "That they were her father's friends." At the same time 'tis observable, that there was no mention made of the protestant succession during that session of parliament, in the speeches of our ministers, or otherwise, which added to our jealousies, that they were not very fond of it. I doubt not but you will be satisfied that our suspicion was not ill founded, when you consider, that before the meeting of the session in 1703, such a general indemnity was sent down by our Scots ministry, and countersigned by the Duke of Q——, as many people from St Germain's came over upon it, to the great terror of all the true friends of the Revolution interest; and 'tis to be observed, that this indemnity, pardoning all crimes, passed to those at St Germain's, without so much as a condition in it, requiring them to leave the place if they would reap the benefit of it. This gave them an opportunity to promote that interest, as appeared soon after by the Scots plot. Nor is it to be denied that Captain Frazer, and others, who acted the part of plotters instead of discoverers, as was pretended, were furnished with passes, and protected in going and coming betwixt Scotland and France by means of the D. of Q——, E. of L——n, and others, then in trust with the affairs of our nation.¹

And as a proof that the conduct of our ministry was all of a piece, when the Earl of Marchmont, who was our Lord High Chancellor in King William's time, but laid aside at his death, had formed a strong party in that parliament for settling the protestant succession, on promise of the D. of Q——'s concurrence, the D—— discovered the concert which defeated the design, and the earl's draught of an act, which he offered for settling the succession on limitations, was scandalously treated and thrown out for want of the concurrence of our courtiers.

Yet in this very parliament our ministers suffered an act of peace and war to pass, by which "No person, being King or Queen of Scotland and England, should have power to engage the Scots in war with any prince or state, without consent of our parliament; and that no declaration of war without such consent should be binding on this kingdom;" which, though some honest patriots were drawn to concur with, out of very good intentions, yet it will appear by what follows, that the D. of Q—— and his friends had other views in suffering it to pass, and therefore, that 'tis no uncharitable conjecture to suppose that some of the then Scots ministry were rather for embroiling the nations, to serve some arbitrary design, than for settling them under one and the same protestant allegiance.

It is very well known to you, that in the parliament of England, this act was taken notice of as a thing of the greatest danger imaginable to your nation; insomuch that, if I be not misinformed, a noted gentleman of the long robe said in your House of Commons, "That if any Englishman advised or consented to that act, he was guilty of little less than treason;" and some of your great lords and ministers were so apprehensive of this, that they declared in the House of Peers they gave no advice about it, or consent to it.

The designs of our ministry will appear yet more plain, if we consider that in the same parliament an act was passed by their influence, "Allowing the importation of all sorts of wines, and other foreign liquors," though the Duke of Hamilton and the squadrone

¹ In more places than one the author insinuates, that Queensberry was not radically well affected to the Revolution, the most heavy charge which could be made, when his conduct was to be judged of by the old English whigs. Lockhart makes the same accusation in direct terms, alleging, that he was in close correspondence with the cavaliers, (*i. e.* Jacobites) but detached from those by the Duke of Athole's influence over him, as well as his jealousy of the Duke of Hamilton.

protested "Against allowing the importation of French wines and brandy, as dishonourable to her majesty, inconsistent with the grand alliance, and prejudicial to the honour, safety, interest, and trade of the kingdom;" and though the Marquis of Tweeddale, in the name of the country party, offered an equivalent, if our countrymen would drop the bill.

A worthy member charged this home upon our ministry, in a speech upon that occasion, wherein he had those remarkable expressions: "To repeal such a law in time of war, will sound admirably well in England and Holland, since it is no less than a direct breach of our alliance with those nations, and exactly calculated to inform the world of the inclinations of our ministers. No man in this house can be ignorant, that this act will not only open a trade and correspondence with France, contrary to the declaration of war, and our own standing laws, but that the design of those who promote the passing this act, is to have a trade directly with France, and bribe men to betray our liberty. If any justice were to be found in this nation, the advisers of these things had been long since brought to the scaffold."

And that our ministry had as little inclination at that time to an union, as they had to the protestant succession, I think will appear plain from this, that in that same parliament, they suffered a resolve to pass, "To make void the commission for treating of an union with England, and discharging any other commission for that end, without the consent of our parliament;" but here again it is necessary to observe, that our honest members fell in with the resolve, because they were unwilling to trust a thing of that consequence in the hands of the then ministry, which our ministers knew well enough, and therefore must have had some other end in suffering it to pass, as will appear by what follows.

The protestant succession met with another very remarkable defeat in the parliament of 1704, when the Marquis of Tweeddale was her majesty's commissioner, though her majesty recommended the same in her letter thus:

"The main thing we recommend to you, and which we recommend with all the earnestness we are capable of, is the settling the succession in the protestant line, as that which is absolutely necessary for your own peace and quietness, as well as our quiet and security in all our dominions, for the reputation of our affairs abroad, and consequently for strengthening the protestant interest every-where; this has been our fixed judgment ever since we came to the crown, and though hitherto opportunities have not answered our intention, matters are now come to that pass, by the undoubted evidences of the designs of our enemies, that a longer delay of settling the succession in the protestant line may have very dangerous consequences, and a disappointment of it would infallibly make that our kingdom the seat of war, and expose it to devastation and ruin."

The better to induce the parliament to comply with this desire, her majesty added afterwards, "We have empowered our commissioner to give the royal assent to what in reason can be demanded, and is in our power to grant, for securing the sovereignty and liberties of that our ancient kingdom."

The lord commissioner, and the Earl of Seafield, then lord chancellor, in their speeches to the parliament, recommended the succession with the same earnestness; and the Earl of Cromarty, then secretary of state, to obviate an aspersion, as if the queen had a secret will contrary to her express will which she had declared in her royal letter, acquainted the parliament, "That he was certain of the contrary, because her majesty commanded him, and her other servants, expressly to assure the house, That nothing in her service could please her better than to believe and obey her in what she proposed in her letter, and nothing could displease her more than to do otherwise."

I doubt not but you will grant, that it was impossible to make use of more forcible and pressing arguments to shew the absolute necessity of settling the protestant suc-

cession than those insisted on by her majesty, and that the danger of doing otherwise could not be better demonstrated than it was by that letter.

And we must likewise do justice to your House of Lords, that they declared to the world they were of the same opinion as to the danger of delaying it, and concurred with her majesty's sentiments, "That the settling of the succession was the readiest way to an entire union between the two kingdoms, for their mutual security and advantage," as appears by their lordships address of the 29th of March, 1701, and her majesty's answer to it before the meeting of our parliament, which was in July after.

Yet notwithstanding all this, when the succession came to be proposed there, it was shamefully baffled and postponed by a resolve, "For putting it off till the Scots had a previous treaty with England, in-relation to commerce and other concerns." And though her majesty had pressed her servants with so much earnestness to promote the succession, yet 'tis very well known here, That two officers of state, a commissioner of the treasury, a great many of the council and exchequer, with colonels, lieutenant-colonels, majors, captains, farmers and collectors of the revenue, and pensioners, who had scarce any bread to eat but what they received from her majesty, in all about thirty-three, not only fell in with the above-mentioned resolve, but solicited others to do the like. 'Tis also to be observed, that some of those who appeared against the succession had but a very little before got into considerable posts; and others of them had received pensions by means of the Duke of Queensberry, and could not conceal their hopes of being further preferred and gratified for defeating the succession in the hands of the Marquis of Tweeddale; upon which they assured themselves the Duke of Queensberry would be restored, as he afterwards was; and this made all those, who had any expectations from him, concur in the design of baffling the succession.

Some of their friends did likewise boast of assurances from London, that there would be mighty concessions obtained in favour of Scotland, in case the matter were referred to a treaty; and this gave the finishing blow at once to the succession, though the Marquis of Tweeddale and his friends reckoned themselves sure of carrying it, there being ninety-six whom they thought they might have depended upon, till the very day it was put to the vote, and the number was much greater before; but many well-meaning gentlemen were deluded by this specious pretext of great concessions with relation to trade, if the matter were referred to a treaty.

In order to satisfy you further, that the D. of Q—— and his friends, by whose means the succession was baffled, did it not out of respect to England, but from other views, it is to be observed, that in this very parliament they suffered the act of security for arming our people to have the royal assent, though they had influence enough to hinder it the year before, when the D. of Q—— and his friends suffered it to pass the house, with a clause of their own inserting, "That a communication of trade should be one of the terms of their coming into the succession;" but this clause was now left out. This, by the way, is another proof of the insincerity of the D—— and his friends in the matter of the succession, since they knew England would never grant that clause without an union; but be that how it will, it was in the power of the said D—— and his friends to have hindered that act, as well as the settlement of the succession, had their affection for England been such as they pretended.

You know very well how much your House of Lords resented this act of security, that in their address to her majesty upon it in December following, they set forth the dangers which might arise from it to England, and advised her majesty to secure your frontier garrisons, to arm and discipline your northern subjects, and to quarter regular troops upon the borders of England, and in the north of Ireland: You remember likewise that a law was made in your succeeding parliament to hinder the importation of our cattle into England, and that your lords resolved your ships should be appointed to hinder our trading with your enemies; for which the D. of Q—— and his friends

had procured an act contrary to the mind of the *squadron*, as they are now called, in the parliament of 1703, as I have mentioned already.

This session being over, the *squadron*, who appeared zealously for the succession, were laid aside, and the D. of Q—— was again brought into the administration; which proves that the hopes of his party, who, out of respect to him, opposed the succession, were not ill founded. What followed was a change in the privy council; and matters being thus prepared, the next session of parliament was held in 1705 by the Duke of Argyle, but before it met, the ministers had several meetings to concert the measures they were to follow; to which the Marquis of Annandale, then secretary of state, and Mr Cockburn of Ormiston, then lord justice clerk, who were zealous for the succession, were not at first called; which being taken notice of, they were called at last; and, together with Sir James Stuart, her majesty's advocate, declared themselves for the succession, for the same reasons upon which her majesty had so earnestly recommended it the year before; but the rest of the ministry were against it, and gave this for their reason, that they could not promise to get their friends, meaning the D. of Q——'s party, to come into it, for they would not make so short a turn, having joined in the resolve last year to prefer the treaty to the succession. But the other gentlemen insisting on it, it was agreed that the arguments should be drawn up on both sides, and given to the commissioner to be sent to court; but whether he did so, and what the return was, his grace is best able to inform you.

Soon after this, a cabinet council was called of six of the D. of Q——'s friends, and only the Marquis of Annandale and the Lord Chief Justice Clerk besides, because they were then officers of state, and the only members of that cabinet who were for giving the preference to the succession. At this meeting it was agreed to send two draughts of a letter, and instructions conformable to the two several opinions, that her majesty might sign which she thought best. And when her majesty's letter returned, it included both, but gave the preference to the succession. Notwithstanding which, it was afterwards thrown out by the courtiers, as follows.

Soon after the parliament was opened, the Marquis of Annandale, then one of our secretaries, gave in a proposal for the succession; and at the same time the Earl of Mar, the other secretary, gave in a resolve for postponing it, the tendency of which was to consider the act passed in England, prohibiting Scots cattle, &c. but they delayed their open proceedings against the succession, till all their force was assembled, till they had certain advice that the D. of Q—— was set out from London, and that all his friends were come to Edinburgh. Then about the 17th of July they came to this resolve, "That they would not name a successor, till they had a previous treaty with England, with relation to commerce and other concerns;" which was followed by another resolve, "That before they proceeded to name the successor, they would make such limitations and conditions of government for the rectification of their constitution, as might secure the liberty, religion, and independency of the kingdom." This was defeating the succession with a witness, yet none of the courtiers spoke against this resolve, except the Marquis of Annandale, and Mr Cockburn, the justice clerk, wherein they were seconded by the Earl of Marchmont, who said he looked upon the first resolve as an exclusion; yet being put to the vote, it was carried by about 37, of which 30 were the D. of Q——'s friends; but all this was so managed by concert, that, to cover the D. of Q——, it was done before he arrived at Edinburgh.

Thus you may see how the succession was from time to time baffled by the D. of Q—— and his party, and that at all times they concurred in such other things as were ill resented by your nation; but upon what views, I must leave to your own judgement, after having given you this general caution, that many honest men, who were not entrusted with the secrets of the ministry, but acted as they thought best for the good of their country, did join in the resolves for securing our freedom and trade, be-

fore they came into the succession, because they thought if the succession was settled before those terms were granted, we should still continue under the influence of such a ministry as would be tools to any body that had a mind to oppress us, in order to arrive at an absolute power.

I now come to the Union, the management of which was committed to the D. of Q—— and his friends; but since it did necessarily engage us in the protestant succession, which I have sufficiently proved the D. of Q—— and his friends did always oppose, since they had also made themselves unacceptable to the nation upon many accounts, and since they had no reason to expect the squadrone, whom they had so much abused, would join with them, and that it is evident they could never have carried the Union without them, I leave it to your own judgment, whether it was reasonable to think that a matter of this consequence could succeed in such hands. I need not tell you that many people were enemies to it, on the account of the managers, and perhaps if it were enquired into, the tumults which were raised against it would be found to be fomented by others than those who did openly oppose it, but this is certain, that the squadrone's falling in with it, contrary to most people's expectation, carried it through against all underhand tricks and publick opposition, which left no place of retreat to the D. of Q—— and his friends, had they been ever so much inclined to it, without exposing themselves openly to the view of the world, as profest enemies both to the succession and Union. And I cannot omit informing you of what I have from a very good hand, that their enmity to the succession was so great to the very last, that had the Union been voted out, and the succession with limitations carried as a proper expedient to lay the discontents which at that time rose so high, and to prevent a rupture betwixt the nations till the Union had been more fully considered, our parliament would have been broke up rather than the succession agreed to.

I must leave it to your own conjecture, whether some of those who defeated the succession were restrained from doing the like with the Union, by motives of fear or profit, or whether there was a mixture of both; but it is certain the squadrone, who have been so much reproached both before and since, could have no probable hopes of reward; for they were not employed in the treaty, nor trusted with the management of it in the house, and that they endangered both their safety and their reputation with their country, in whose opinion they stood so fair, by acting as they did for the Union, is not to be denied; for as their enemies were very industrious to give a wrong turn to what they did in the matter of the succession, they had the same hard fate in their conduct about the Union; and since every body must allow them to be men of more penetration than not to foresee this, I think I may be allowed to have so much charity for them as to suppose they acted as they did, because they found by experience there was no carrying the succession with limitations, to deliver their country from an oppressive ministry, and the danger of a popish successor, and therefore they resolved to unite with England on the terms proposed, as the only way left us to come under the same protestant successor, and to have a share in the same trade and liberty, for want of which, by the union of the crowns, we were reduced to a condition of beggary and slavery, and that of the worst and most contemptible sort, since we were become slaves to those who were always tools to your ministry, and by consequence no more than the servants of servants, which was the curse inflicted upon Cham by his father Noah.

Such of our nation as had an honest design in the Union, intended the joint security, wealth, and liberty of both kingdoms upon an equal footing; but whether some of those in both parts of the island who pretended a zeal to push and carry it on, and to a great share of the merit for atchieving it, had not something else in view, and particularly to keep us still under slavery, with a design to serve old arbitrary principles and views, may perhaps appear by what we are now to consider.

Nothing is a greater proof of this than the great effort made in parliament to have the privy-council still continued among us, which, if I be rightly informed, was as great as any that ever was known to be made by a court party; and I can assure you that our late courtiers endeavoured to render the squadrone odious among us, because of their strenuous appearance against the council, which, with the unanswerable arguments they urged in parliament for abolishing it, is none of the least causes of all that malice and falsehood which has since been vented against them and their friends, as you may perceive by that silly libel, entitled "A brief Account of the Elections in the North of Britain, with some Account of the Divisions there." To say nothing of the unreasonableness to keep up such a mark of distinction with us, after the sovereignty of the two nations was consolidated, it is known to every man that since the union of the crowns, our privy-council has been as arbitrary as the Turkish divan, that they assumed a parliamentary power, and concurred with all courts in oppressing us. Thus in King James and King Charles the First's time, they set up a high commission, which, contrary to standing law, made innovations both in church and state, and brought our lives, fortunes, and liberties to a precarious dependence upon the court. In Charles the Second's time, they brought down armies of savage highlanders upon the country in time of peace, garrisoned gentlemen's houses without their consent, levied money for their subsistence contrary to law, dispensed with acts of parliament, countenanced military officers to try and execute men without jury or record, disarmed the subjects at pleasure; and in King James the Seventh's time concurred in those proclamations which pretended to annul our laws. In a word, they were the instruments of all those grievances complained of in the claim of right, and even since the Revolution they were so accustomed to arbitrary practices, that they acted many illegal things, which was not in the power of honest men among them to prevent, as they themselves have frequently complained. So that it is evident to a demonstration, that our late ministry, who, you see plain by the libel above-mentioned, expected to have had their power continued over us, were angry at the abolishing of the council, because it deprived them of a proper handle, by which they might still tyrannize over us and influence our elections, the return of which they had cunningly got vested in themselves by the Union, had the parliament of Great Britain thought fit to continue the council. I shall only add, that by the proceedings of that party both before and since, it is easy to perceive, that if they acted in such an arbitrary manner when we had a parliament here to call them to an account, they would have chastised us with scorpions instead of rods, and have made use of their power to make us all Janisaries and Spahis, to serve the designs of any arbitrary prince against the whole island, now that we have no parliament here, especially if their power of returning our members had been continued, for to be sure they would have returned none but such as should either have palliated their illegal practices, or concurred with them. But, blessed be God, the parliament of Great Britain has delivered us from this yoke, though our own late courtiers, and other people with you, would willingly have had it wreathed harder about our necks than ever.

The weakness of their pretence, that they desired the continuance of the council for securing our peace, is easily seen through; since every one knows that it might be better secured by the same methods as yours in England, if honest men were made sheriffs, and put into the commissions of the lieutenancy and peace; but their sincerity in this matter may pretty well be guessed at, since, by her majesty's late proclamation, with respect to our country, it is evident how bare-faced popery and jacobitism have appeared, and how much they increased under their administration. Perhaps you would think it an uncharitable suggestion, if any body should offer to say that some of our late ministry designed it should be so; but this you may depend on as fact, that in many places they have recommended persons to be justices of peace, who are very

unacceptable to the country, and that there are not a few Jacobites and lewd men among them; there is one instance so notorious, that all the honest men of the kingdom are alarmed at it, viz. Sir Robert Greerson of Lagg,¹ who was a barbarous persecutor in the late reigns, and ordered two women to be tied to a stake within the sea-mark till they were drowned by the tide, because they would not hear the episcopal ministers: He was also one of those who murdered people in the fields without any form of law, was lately cited to Edinburgh for clipping and coining, upon which his servants that were suspected fled the country, and is proved to be guilty of notorious adultery, which is death by our law; yet this man is lately made a justice of peace, which I can assure you was not by the recommendation of the squadrone, for it was not thought fit to oblige them so much as to put their friends into the commission. By this you may judge what regard some of our late courtiers have to the country; they knew this man's character well enough, and that making him a justice would occasion complaints, and raise jealousies, as it has actually done among all the ministers and sober people of the stuartry of Kirkcubright, for they can think no good design to them, when such men are advanced to authority, as have always been their professed enemies.

I come now to the late invasion, and must desire you to observe the following circumstances that preceded it, which perhaps may furnish you with some new thoughts about the conduct of our late ministry. The first thing I would desire you to observe, is the opposition to the oath for abjuring the Pretender, which carried a first reading in our parliament, and might easily then have passed into a law, had they thought fit it should. In the second place, be pleased to remember the indemnity procured by those gentlemen, upon which so many people came over from St Germain's; and pray don't forget the Scots plot that followed it, and who it was that gave such countenance and protection to Captain Frazer, and others, who had forfeited their lives by our laws, to come and go from France at that juncture of time. I hope you will also consider the encouragement given to our nonjurant clergy, to petition for a toleration, without being obliged to own her majesty's government. I must desire you, in the third place, to remember that crafty and unaccountable opposition made by them in our parliament to the very last against the protestant succession. Fourthly, Be pleased to consider whether the endeavours, after the Union was made, to continue a ministry and council over us, which were so ungrateful to the nation, was a proper method to allay our discontents, and to lessen the number of the Pretender's friends. In the fifth place, consider how naked we are left as to forces, and how ill our chief garrisons were provided, when the Pretender came upon our coasts; and since it is very well known that our administration had frequently stunned us with a noise of Jacobite plots and fears of such an invasion, to create a suspicion of such as oppose their measures, you may easily judge whether they could be excuseable in not taking more care to have us provided against a real invasion when it came. I shall not say any thing to lessen the Earl of Leven's conduct and care to oppose that descent, but I think it may be justly said without offence, that all his lordship was capable to do against it in such circumstances would have signified little, had not Providence taken more care of us than our administrators; for I suppose you are not ignorant, that had there not been a spirit of terror and infatuation among the French, or something else, which is not yet known to us, they might easily have landed before our fleet arrived to give them chase; and what confusion, bloodshed, and danger, that might have occasioned

¹ The memory of this gentleman is still held in great hatred by the more severe presbyterians; they deeply resented his being received into the commission of the peace. He died 28th December, 1733, and his memory was solemnized by a doggrel elegy in the person of Satan.

to the whole island, if you consider the above-mentioned circumstances, is easier to be imagined than expressed.¹

The next thing to be considered, is the conduct of our late ministry since the happy disappointment of the invasion; you know very well that a considerable number of our nobility and gentry were taken up on suspicion of favouring it; and we have reason to suppose, that the list of them was given in to your council by those gentlemen, so that whatever partiality or party quarrel there may be in it, or whatever neglect there was, in not taking up others, whom perhaps there was more reason to suspect, it must be charged upon them, since it is natural to think that few of our ministry are sufficiently acquainted with persons and characters here; but it was a general observation with us, that whoever advised to those proceedings, seemed rather to design a slur upon such as opposed our late courtiers in their measures, and to influence our elections, than really to secure the kingdom: The taking up the late Lord Belhaven, Mr Fletcher, and others, who had concurred in the Revolution, and were always firm to it, was a plain proof of this. I must here take notice of one thing which raised a general disgust in our country, and that was the carrying up of all those prisoners to London.² Whatever might have been said for it at another time, it seemed to be impolitick so soon after the Union, for it recalled to remembrance what is recorded in our history of your Edward I. who, in order to establish his sovereignty over us, when John Baliol, who got our crown by his assistance, owned himself to be his vassal, he destroyed many of our chief families, which quite ruined his design, and engaged England in a long and ruinous war. In short, our people in general thought the carrying up those lords and gentlemen to London, looked too much like making them trophies of a conquest and subjection; and I am very apt to believe, if any honest man with you went into those measures, it was because they thought there was no justice to be expected from our ministry against a Jacobite plot; considering their management of that formerly called the Scotch Plot, and their constant opposition to the protestant succession; and upon this account, the sending for those of our nobility and gentry up, whom our late ministry are supposed to have informed yours were most like to be guilty of treasonable practices, deserves to be thought as great an instance of prudence and integrity as it would have been the contrary, if our late ministry had been entrusted with taking their examinations.

But, after all, to us it seems unaccountable, that not one Englishman was taken up for this plot of an invasion, except what were taken at sea. Certainly no man can think that all the disloyalty of the island lies by North Tweed, or that the Pretender would have attempted to come over without greater assurance of support than he could expect from the Jacobites with us. One would have thought that our late Scots ministry had not so much success with their former plot, as to make them fond of taking up people again for another, without good evidence against them, or very strong reasons to suspect them. It is well for you, that your ministry had so tender a regard to the

¹ See an account of the abortive attempt to invade Scotland in 1707, among the Military Tracts of this reign.

² The measures taken to secure the persons of individuals, supposed to be disaffected at this time, gave great offence to the national pride of the Scotch, and was thus invidiously insisted upon by Lockhart.

"Immediately the castles of Stirling and Edinburgh, and all the prisons in Edinburgh, were crammed full of nobility and gentry. At first, no doubt, the government expected to have had proof enough to have brought several of them to punishment, but failing, blessed be God, in that, the next use they made of them, was to advance their politics; for no sooner did any person who was not of their party pretend to stand a candidate to be chosen a parliament-man at the elections, which were to be next summer, but he was clapped up in prison, or threatened with it if he did not desist, and by these means, they carried, generally speaking, whom they pleased. But to return to the prisoners: After they had been in custody for some weeks, orders came from London to send them up thither, which was accordingly done, being divided in three classes, and sent up three several times, led in triumph under a strong guard, and exposed to the raillery and impertinence of the English mob; and now it appeared to what a fine market Scotland had brought her hogs, her nobility and gentry being led in chains from one end of the island to the other, merely on account of suspicion, and without any accusation or proof against them."—*Memoirs concerning the Affairs of Scotland*, page 382.

liberties of the subject, as to put none of your people to disgrace and expence, upon that account, since they had no evidence against them : Nor is the clemency less remarkable that is used with you towards those that were taken in the Salisbury man-of-war, especially since one of the chief of them was under a former condemnation. I am satisfied that nothing could have induced our late ministry to treat them so civilly, had they belonged to their province, except they could have purchased their favour by giving or procuring them proxies to vote down the squadrone : But it is your peculiar happiness that your ministry stands in need of no such measures, and that they abhor falling in with any thing that may so much endanger your constitution, as the overturning of the freedom of elections must necessarily do.

I doubt not but you take notice of the libeller's clamour against the squadrone, as having from time to time joined with Jacobites. Now admitting it to be true, it is the most disingenuous thing in the world for our late courtiers to have allowed their tool to mention this, since they have been so frequently guilty of it themselves, and that so lately too, as to solicit such who were taken up as favourers of the invasion to give them their proxies.

Certainly they cannot charge the squadrone to have made the Duke of Queensberry's brother, the late Earl of March, who lived and died a Jacobite, governor of Edinburgh-castle ; and to have turned out the Earl of Leven, who was always taken to be a staunch revolutioner, to make way for him. It was not the squadrone who brought the Lord Ballendin into council, though so rank a Jacobite, that he shot a poor centinel for saying he belonged to King William, and told him that it was King James's pass : It was not they who likewise brought in the Earl of Dunmore, and the Earl of Balcaras, who was a known and active Jacobite. It was not they who counter-signed the indemnity formerly mentioned, which brought over so many people from St Germain : It was not under their administration that popery and Jacobitism increased so much as to stand in need of proclamations since, to put a curb to them ; but malice knows no bounds, and is incapable of shame : Otherwise our late courtiers would never have suffered their libeller to charge their own crimes upon the squadrone, and particularly to tell us that they offered to come in with the Jacobites against the succession, when it is known to the whole country, and appears by the records of parliament, that they did all they could to get it established, and that it was the Duke of Queensberry's party who joined with the Jacobites to oppose it.

We may say the like as to the proxies, since the libeller owns his party had obtained some from those that were taken up on account of the invasion. And I would fain know whether it be most criminal to take the assistance of such men, when it can be had, in order to rescue our country from an oppressive ministry, or to endeavour to obtain it by threats and promises, in order to continue under arbitrary power, and to give any court an opportunity to have all our sixty-one members returned as they please.

I come next to our late elections, concerning which the libeller charges the squadrone with so many unfair practices ; but how justly will appear when our controverted elections come to be debated in parliament. In the mean time you may be satisfied, that none of the squadrone could pretend to the honour of being then her majesty's servants ; and therefore could not threaten any body for opposing them as such with the loss of place, commission, or pension : Nor had they the honour to be trusted with the secret, or power to give in lists of such as were thought proper to be taken up on account of the invasion or plot ; and therefore could not put marks of disgrace upon any of the Duke of Queensberry's friends, or send them prisoners to another country, that they might not be near enough to influence elections ; nor could they take them up at home, and threaten to send them after the rest if they would not give their proxies or interest to them. It was not in the power of the squadrone to give a com-

mission to any general officer of the army to send for such people, and put them in prison as disaffected persons, that were like to stand candidates against any of their friends; nor had the squadrone any blank commissions to fill up with such as would sell their votes to be made sheriffs, justices of the peace, or other officers. I never heard that the squadrone was charged with splitting freeholds,¹ and making fraudulent sales of them, with clauses of revocation, and that too after the test of the writs, in order to purchase votes: Nor do I know that they teased and affronted gentlemen voters, that were known to be firm to the Revolution, by tendering the oaths to them, in order to make their loyalty suspected, when they came to vote against any of their friends. It was some other people than the squadrone who brought bailiffs, contrary to law, into the meetings of the electors, to take up such as voted against their friends, on pretence of debt. It was not the squadrone who had blank warrants to fill up with the names of such as opposed the election of their friends, sent them to Edinburgh from far distant places, kept them under confinement for some weeks, and at last discharged them, without asking them one question. It was not the squadrone who brought people to vote at elections, that could not tell where their freeholds lay. It was not they who had armed men lodged near places of election to over-awe the electors, nor who took upon them, at their meetings for electing, to determine such cases as are determinable only in parliament. It was not the squadrone who brought in a sort of peers of a double capacity, who shall both have a right to sit in person, and to chuse others to sit in the same house with themselves; a sort of peerage unknown to our constitution, and which in time may prove dangerous to it, since any court that is so minded may give so many Englishmen Scotch titles of peerage, as will put it entirely in the power of the court, and of the south part of Britain, to chuse all the Scots sixteen. This, by the way, puts me in mind of another thing that may prove fatal to our constitution, if it be not guarded against; and that is, lest any court should take an opportunity to bring such a number of the present Scots peers into the house by English titles, as may break the proportion settled by the articles betwixt the number of parliament peers in both parts of the island; against which I do not find any provision made by the treaty with respect to either of the united kingdoms. For the name of Great Britain is not like to have charm enough to make men forget the particular interest of that part of the island where their property lies. I shall add, that it was not the squadrone who countenanced the voting of any peer in chusing others, who by his post must be a judge of points of law relating to elections, which looks too like making a man both judge and party.

In short, sir, you may easily perceive by these hints what hardships we lie under, as to the matter of our elections, with respect to the lords, and how dangerous it is to let any court or faction have an opportunity of returning our 16, according to their own humour.

I come now to the elections of our commons, as to which there are abundance of complaints; and no doubt you will hear enough of it ere long at the bar of the house, to convince you that care must be taken to prevent bribery, threats, and promises, and to secure the elections of our commoners against the influence of our lords and courtiers. You may perceive by the Union Act, that our boroughs are divided into fifteen classes or districts, nine of which have five electors each, and the other six but four; and in case of an equality of votes, the president of the meeting is allowed two; now it is plain, that when the number of electors are so few, it gives an easy opportunity for bribery; besides the handle it affords the president of each meeting to return himself or his friend, which, I humbly conceive, is against the equity of the law, that does

¹ A practice well known to every Scottish lawyer, under the title of nominal and fictitious votes.

not allow a sheriff to be a member, because of the opportunity he has of playing tricks in the return.

As to the chusing of our barons or knights of shires, it is not indeed so liable to bribery; yet, considering that the electors are few in comparison of what they are with you, corruptions of that nature may be much more easily practised here than in England: All which together will convince you of the necessity of making some good and effectual laws, to secure the freedom of our elections against such practices as have been too frequent among our late courtiers; otherwise, instead of having either our liberty or yours secured by the Union, both of them may be endangered, and our sixty-one lords and commons may be formed into a battalion, at any time, to attack *Magna Charta*, and join with courtiers to make any future prince as absolute as the French king. You see what efforts the D. of Q—— and his friends have made to get the whole into their power, and by their endeavouring to possess the queen with an opinion that our ancient constitution was an encroachment on the prerogative (as appears by the D. of Q——'s letters to the queen, of August the 11th, 1703, printed in the proceedings of the House of Lords about the Scots plot) you may be satisfied they had no design to support the common liberty of the island, by having that power in their hands.

By this time I doubt not but you are very well satisfied that we had reason to wish for a deliverance from the hands of such men; and that if we still be continued under the influence of their ministry, or that of men of the same stamp, we lose the chief thing we aimed at by coming into the Union; and instead of having more liberty, are made greater slaves, in which case your privileges cannot be long-lived. They have peeled and polled us till we have nothing left to be a bait for their avarice; so that now they must think of preying upon you, if you do not take care to prevent it. The truth of this would appear very plain, if the parliament of Great Britain should think fit to appoint a committee, to enquire how the equivalent has been managed and shared; this is so late an instance, and falls so naturally under the enquiry of the united parliament, that one would think there needs no more but to name it; and perhaps this might open such a scene of tyranny and oppression, and of tricks put both upon court and country, as few ages have heard of the like: Resumptions of grants is a thing very agreeable to our constitution, as will appear to any man that casts an eye upon our statute book; and if an enquiry were appointed how the lands and rents of the crown of Scotland have been disposed of, since that party had the administration in their hands, and such grants revoked as have been made to persons of no merit, or for no valuable consideration, it might ease the country of some of their taxes, and afford the crown a considerable support out of what is properly its own, but now squandered away by lavish grants unfairly obtained: And as they made bold with her majesty's revenues, they made as ill use of her honours, conferred patents of peerage, and of being knight baronets, on persons who had neither merit nor estate to support their character. Thus have suffrages been bought and sold in our parliament while we had one, and you may be sure they will put the same practices in use with you, if they be not prevented. I hope the united parliament will consider there is no arbitrary design which men preferred to honour and riches by such undue methods are not capable of, and that the vast expence which such an indigent nobility and gentry, and officers of the army, that may be returned to serve in parliament, must be put to, by coming from hence annually to London, lays them open to temptations to sell their votes to any court or faction, that is able or willing to be at the charge of the purchase; and how fatal that may be to the British liberties you may easily judge: In short, if the trade of our country be not encouraged, and such designs against it as above-mentioned prevented, it may reduce us to the like desperate attempt of making an entire surrender

of our liberties to the crown, as was done formerly by the Danes and Swedes, in hopes that the court may treat us better than our late ministry have done.

I shall conclude with this one reflection, That if the administration be not put into such hands as promoted the Union, not out of any selfish design, but purely to secure the common liberty of the island, and into the hands of those who have now joined them in that noble design, you and we may both have cause to repent that ever it was made. At the same time I am heartily glad to hear of a change of that sort already begun with you, and hope it will be universal through Great Britain and Ireland, and that we shall not have the hard fate to be continued under any thing which looks like a separate administration, that may give any man the same or a greater influence over us than what our late ministry had, though under different names; for that is as much inconsistent with the Union, and will as effectually disappoint the expectations we had conceived from it, as to put the common administration of the united island into the hands of such as either with you or us have discovered their aversion to a real union, and taken all possible methods to make it ineffectual, since they perceive by abolishing the council of Scotland, and taking the power of the Scots returns out of their hands, that they cannot now make use of it to carry on their arbitrary designs, and to support an interest in the court different from, or rather opposite to, that of the country, as they did of the separate parliament of Scotland so long as they had it in their management.

I did not think it necessary to insist upon the vindication of any of the particular persons whom the author of the account of the elections in Scotland has aspersed in his libel: For his malice and falsehood are so obvious, and the persons he reflects upon are so well known to the best men of the island, that instead of impairing the credit of any man he attacks, he has lessened his own, if ever he had any; exposed himself to be laughed at by every body here, and has discovered so much of his own weakness, and that of his party, as would sooner raise a man's pity than his resentment.

I shall trouble you no further, than to assure you that I have been so far from taking his slandering method, that I have advanced nothing against his party, but what either appears upon our records, or is so well known that it can't be denied.

Nor have I said all that I could, which perhaps his patrons may know, if they will venture to employ him or any other to contradict what I have wrote here.

I am,

Sir,

Your most humble servant.

November 15, 1708.

The Managers Pro and Con; or an Account of what is said at Child's and Tom's Coffee-houses for and against Dr Sacheverell. By Sir John St Leger. 1710.

Per Graijum Populos, mediæque per Elidis Urbem
Ibat ovans, Divumque sibi poscebat Honores.

It is unnecessary to detail an occurrence so well known in our history as the trial of Sacheverell. It is well known that this man, who was equally weak and violent, preached a sermon reflecting

upon Queen Anne's administration, particularly Lord Godolphin, whom he designated *Volpone*; that he was tried upon an impeachment by the House of Commons; and that a matter so trifling in itself produced the most violent effect upon the public mind. The slightness of the punishment inflicted upon Sacheverell was regarded as the triumph of the high-church party, and, in fact, occasioned the fall of Godolphin's administration. A whig writer has here balanced the arguments on both sides while the case was in dependence. Child's coffee-house was at this time chiefly frequented by high-church clergymen, and Tom's by those of opposite opinions. Swift, describing himself as free from the usual habits of his order, says, he had never once been at Child's or Traby's,

Where town and country vicars flock in tribes,
Secured by numbers from the laymen's gibes,
And deal in vices of the graver sort,
Tobacco, censure, coffee, pride, and port."

WHEN I saw Doctor Sacheverell, that triumphant criminal, pass by my door in a flaming and open chariot, now and then stopping, and then marching slowly in state to Westminster-hall, impeached by the commons of Great Britain, for a wicked, malicious, and seditious intention to undermine and subvert her majesty's government, and the protestant succession as by law established; to defame her majesty's administration; to asperse the memory of his late majesty; to traduce and condemn the late happy Revolution; to contradict and arraign the resolutions of both houses of parliament; to excite jealousies and divisions amongst her majesty's subjects; and to incite them to sedition and rebellion, (which in my humble opinion amounts to somewhat more than high crimes and misdemeanors) I could not but think it an unparalleled presumption in the prisoner to go so rebelliously attended, when, as a public enemy to his church and country, he ought to have been drawn upon a sledge.¹

The doctor appeared to me to be gay and insolent, which made me serious: The occasion and subject was the same, but by us differently considered. I, who can never forget our deliverer; he, who will never forgive him; I, who am so pleased and easy under her majesty's administration; he, who is so restless and discontented; I, who am so solicitous to confirm the Hanover succession; he, who is so active to defeat it. Yet I could not but be of opinion with him, that he was going to the hall to make good upon the commons the accusation of treason and rebellion, upon which he had lately arraigned them in St Paul's church. To him, and to me, he and his council seemed to be the managers for the Pretender; and the commons managers seemed only to be of council for the queen and the nation: He and I thought, that whilst they pretended to prosecute him, they only pleaded their own cause; and if he had been acquitted of high crimes and misdemeanors, they must have been convicted of rebellion and perjury. This we both thought was the true state of the case, which so differently affected us.

"The trial had now lasted four days, and the doctor gone every day to Westminster in a taudry glass chariot, belonging to young Newland, son of Sir George Newland, a scrivener in Smithfield. In the mean time, the cry of the church's danger made a dismal sound in the ears of the religious mobs of London and Westminster, who, out of an extraordinary concern for the afflicted assertor of her rights, left their several crafts and callings, and crowded the streets to hail blessings on the doctor, and to be blest by him. He had lodgings in the Temple, that he might be near his lawyers; and from thence to Westminster-Hall, where he and his companions shouted as if he had been drawn along in a triumphal car.

"The queen going to the House of Peers in her chair, some of this multitude gathered about it, crying out, 'God bless your majesty, God bless the church; we hope your majesty is for Dr Sacheverell.' The mob obliged all persons they met to pull off their hats to the doctor, as they huzzaed him to his trial; they abused those that refused to worship their idol, among whom happened to be some members of both houses of parliament."

—OLDMIXON, *Hist. of Eng.* page 434.

The lords our judges have agreed, that the commons have made good the several articles of impeachment, and notwithstanding the doctor solemnly forswore it, have found him guilty of the criminal intention; but yet such is their humanity, such their undeserved mercy, that if compared with the unexampled cruelties, and unprecedented punishments inflicted formerly by Laud and the high-church party in the Star Chamber, the world must own, that their chastisements are next to impunity; the crime only censured, the criminal dismissed; and must confess too, that there is something more than cant in that divine and royal word *moderation*.

Since the doctor has published his colourable defence, by way of seditious appeal to the people, and it is impossible so soon to print off the excellent arguments of the managers for the commons, I wish some better pen who had heard them, would have undertaken to have wiped out the impression that the doctor's evasive and prevaricating speech has made upon some people, whose passions of every kind are much easier moved than their judgments rightly informed, which is my excuse for this paper.

Article I.

The doctor in his speech¹ is pleased to affirm, that the managers of the commons have supported their charge by "Intendments, unnecessary implications, and strained constructions, by piecing broken sentences, conjoining distant and independent passages, in order to make him speak what he never thought of."

The managers methinks were very patient to hear this language, and very indulgent to acquiesce in his printing it, before their arguments were published, that the world might judge whether they were the artful knaves, which, in my opinion, the doctor has here represented them, by applying to them the true character of the king's council in a former reign: But I hope, that even the managers at Tom's coffee-house are able to vindicate the managers of the commons from this aspersion, till they have an opportunity to do it much better themselves. The managers at Tom's, to support the first article, read forty-four continued lines of the sermon, out of which entirely they maintain their charge. "And is this to piece broken sentences, and to conjoin distant and independent passages?" The managers begin with the 11th page.² "The grand security of our government, and the very pillar upon which it stands, is founded upon the steady belief of the subject's obligation to an absolute and unconditional obedience to the supreme power, in all things lawful; and the utter illegality of resistance upon any pretence whatsoever." Here the managers go on *verbatim*, till they come to these words, "Our adversaries think they have us sure and unanswerable on this point, when they urge the revolution of this day in their defence. But certainly they are the greatest enemies of that, and his late majesty, and the most ungrateful for the deliverance, who endeavour to cast such black and odious colours upon both: How often must they be told, that the king himself solemnly disclaimed the least imputation of resistance, and the parliament declared that they set the crown on his head upon no other title but that of the vacancy of the throne."

Upon this the managers at Tom's charge you with suggesting and maintaining, "that the necessary means used to bring about the late happy Revolution were odious and unjustifiable." The managers affirm and prove, that there was resistance at the Revolution, and that the resistance then made was the necessary means to bring about the Revolution. You say in your sermon, and confirm it in your answer and speech, that all resistance, upon any pretence whatsoever, is utterly illegal. Do the managers then make an unnecessary implication when they infer, that if resistance be utterly illegal, that it is odious and unjustifiable? When you say that it is not justifiable in any case whatsoever, is it a strained construction to make you say that it is unjustifiable

¹ Page 5.

² Sermon at St Paul's, 2d edit. p. 11, 12.—Orig. Notes.

in the case of the Revolution? And when you say that it is odious and unjustifiable, is it not a fair collection to say that you have cast odious and black colours upon it?

The managers at Child's answer this, and say, that though resistance should have been made, and though it were justifiable, yet the resistance was not the necessary means, nor did it bring about the Revolution, but that the abdication was the cause of the Revolution, and the resistance was only the *causa sine qua non*.

This learned distinction has struck deep into the noddles of those who are lately come from the university, and many who have lived too long in it. But I must ask them whether the resistance was the cause of the abdication, or the abdication was the cause of the resistance? If they think fit to allow that the resistance was the cause of the abdication, then the resistance must be the *causa efficiens*, and the necessary means; and the abdication only the *causa sine qua non*: Nor was the abdication (which was but one instance of the late king's male-administration among many others enumerated in the Act of Rights, *Primo Gul. et Mar.*) the sole cause of the vacancy of the throne.

Here I must take notice of a general plea that some of your managers have put in for you, which goes to the whole, that "Whereas your sermons being only a bundle of inconsistent nonsense, they know no law in being by which a fool is punishable, and that the consequences would extend to too many, if a precedent should be made to correct any body for preaching and speaking foolishly." I know that this pinches close a person of your pride and self-sufficiency to have such an aspersion cast upon your parts, and do really believe that you would rather plead guilty, than own yourself to be an insignificant; and to oblige you I'll take upon me the defence of your understanding, and shew that you had a meaning, and a malicious one, which (as it happens commonly to men of your capacity) is always uppermost, for if you were so weak as to mean nothing at all, you were certainly a very insignificant tool of the party.

The first article against your understanding is grounded upon this position of yours, "That an absolute and unconditional obedience is due to the supreme power in all things lawful; and that resistance is utterly illegal upon any pretence whatsoever." Here, they say, you are perfectly absurd, and contradictory to yourself, by tacking a condition to your unconditional obedience, and thereby you assert nothing, and are very clear of any suspicion of a meaning in this place. But in this point, doctor, I own you are extremely wronged, for I think that you write as good sense upon the subject as most of the fathers either living or dead, and you seem to think so too; and impatient of this calumny, you point out your finger in the margin of your collections to a certain bishop, as if you desired him, in his own and your justification, to say, whether the distinction of active obedience in all things lawful, and passive obedience in all things possible, will not make your doctrine orthodox, and your sense unquestionable.

But your managers at Child's, who have a better opinion of your understanding, say that your art was nice, and your caution remarkable, to leave the supreme power indefinite and at large, to fix it where you please upon occasion; and that if, by any other passages of your sermon, it should be demonstrated, that by the supreme power you mean the prince, yet still you are at liberty to explain that unconditional obedience, as due to his executive power. That you laid down the doctrine of non-resistance only as a general rule, to which you allowed exceptions, and that undoubtedly non-resistance was a good and wholesome doctrine, and proper to be preached with a mental reservation: That necessity made resistance lawful. And they say that your council insisted much upon this as your best defence. But your managers differ among themselves in this point, and those who asperse your understanding say, that you were stark mad to depart from the defence of your council, and to avow in your speech that you preached that doctrine in the full latitude that the fathers dead and living

taught it, because those fathers, who are the principal teachers of unconditional obedience (as Bishop Sanderson) do most undeniably in express words exclude all exceptions to their general rule, and it is evident that they lodge the supreme power in the prince, that they make no distinction of the executive power. This justification, they say, untwists all that your council said in your defence, and from hence it follows, that the case of the Revolution could not be even mentally expected out of your general rule, and I hope that I shall satisfy most people, that your design was expressly to condemn it.

The doctor says, page 11, "That our adversaries think they effectually stop our mouths, and have us sure and unanswerable on this point, when they urge the revolution of this day in their defence; but certainly they are the greatest enemies of that, and his late majesty, and the most ungrateful for the deliverance, who endeavour to cast such black and odious colours upon both. How often must they be told, that the king himself solemnly disclaimed the least imputation of resistance in his declaration, and that the parliament declared, that they set the crown on his head upon no other title but that of the vacancy of the throne, &c." And then a little further he says, "Thus do they endeavour to draw comparisons, and to justify the horrid actions and principles of forty-one."

The doctor having laid down the general rule of non-resistance, now undertakes to defend the generality of it, and being aware that the late revolution would be objected against it, and lest his adversaries (*viz.* the friends to the Revolution) should offer the resistance of that day, as an exception to his general rule, he answers them before-hand, that there was no resistance at that time, that the king himself has denied the least resistance, and that they who endeavour to prove there was any resistance, cast odious and black colours upon his majesty and the deliverance.

To what purpose was the case of the Revolution mentioned just after the doctor's general rule of the illegality of resistance? It must be, either to except it out, or condemn it by that general rule. If then he excepts it out of the rule, it is because there was no resistance made: But if it happens that there was resistance at the Revolution, the doctor has cast odious and black colours upon both the deliverer and deliverance. And to blacken them yet more, he says, that thus (*i. e.* by maintaining that resistance) they (*i. e.* his adversaries, who defend the Revolution) justify the actions and principles of forty-one, by a comparison drawn between them. By which it's plain that the doctor makes the Revolution as scandalous as the transactions about forty-one, if founded on resistance.

The doctor persists to the last in his speech, p. 7, "That there was no resistance made at the Revolution:" What will not this man dare to affirm or deny? Did not the Bishop of London himself re-assume the sword? And had he not the honour to have the Princess Anne under his guard? Did he not display his colours with that remarkable motto, that succinctly comprehended the reason of the general resistance, *viz. Quia nolumus mutari leges Angliæ*? Did not Archbishop Sancroft take up offensive and defensive arms, when he forced the Tower from the king's governor? But tell me, doctor, how could you affirm to the queen's face, that there was no resistance? when you knew that her majesty herself was in arms, and acted so great a part in the glorious Revolution, and that many hundreds of your audience had been in arms? How many lords have since boasted of the resistance they then made, notwithstanding you were capable of asserting the contrary to their faces?

I am not surprised to see the Prince of Orange's declaration wrested by the doctor, who is as free with the scriptures; the prince never disclaimed resistance, but the title of conquest; but Sacheverell either understands nothing, or is resolved to pervert every thing.

It appears by the letter left by King James, That he himself apprehended he was

resisted, when he complains of an "Order sent him at midnight, to remove next morning from his palace, and that the Prince of Orange's guards had taken possession of the posts about Whitehall, without his being advertised of it;" afterwards he says, "he was born free, and desires to continue so; therefore he thinks it not convenient to expose himself to be secured, and not to be at liberty." 'Tis plain by this letter, that the king apprehended, that when he was ordered to go to Ham, that he was made a prisoner, or, at least, that he was likely to be made one soon; and to imprison the king is as high resistance as can be made. Therefore, as many gentlemen as believe there was actual force and resistance made at the Revolution, must say that Sacheverell has cast odious and black colours (which I hope won't stick) upon the Revolution; and that he is the "greatest enemy of that, and his late majesty, and the most ungrateful for the deliverance."

The doctor defends the doctrine of passive obedience and non-resistance, as taught by the sermons or homilies put out in Edward the Sixth's time, and says, "That those homilies were established by the thirty-nine articles, and that those thirty-nine articles were confirmed by the thirteenth of Elizabeth, and that they are now made perpetual and fundamental by the Act of Union."

The managers against the doctor attack the very foundation of the doctor's defence, and if the reader judges the argument to be good, it's a full answer to all the speeches that have been made for him; they say, that the article, which contains the homilies, and a great many more of the nine-and-thirty articles, were not confirmed by the thirteenth of Elizabeth, nor any other act of parliament; and consequently the doctrine of non-resistance is not deposited in such a place of security as in the irrevocable Act of Union.

The statute of the thirteenth of Elizabeth confirms "all the articles of religion, which only concern the confession of the true Christian faith, and the doctrine of the sacraments;" but neither that article about the homilies, nor several other articles which only concern matters of discipline, were ever confirmed by parliament to this day. I refer the reader to the argument at large annexed to this paper, which I don't doubt but will convince him of the truth of this assertion.

We must then consider the homilies as so many sermons wrote by the clergy in Edward the Sixth's time, when few of them were of tolerable learning or abilities: Does it appear that they had our constitution under consideration? Does it not appear that they understood nothing of it? The resistance that was made against Richard the Third was then fresh in their memory; who, bad as he was, even such an anointed was not to be touched by their rules, if stretched to an unlimited sense. They might have heard of many precedents of deposing our former tyrants, and easily collected that it was the practice of the church, and law of England, in such unfortunate cases. Let us consider their argument thus.

A convocation of the clergy confirm a doctrine utterly inconsistent with the constitution of the state, and therefore 'tis an high presumption in the laity, against the authority of the church, to refuse to be bound down by it. Some modern doctors misapply and misconstrue those doctrines, and then it is irreligion and atheism to examine or enquire into their mistakes. May we not be permitted to oppose the sentiments and practices of those convocations, against the opinions and comments of the expositors of their doctrine? It's very probable that the members of those convocations best understood their own meanings, and surely they would never have assisted so freely and largely in resisting the French and Spanish tyrants, and defended their oppressed subjects, if they had ever thought that resistance was *de toto genere*, unlawful, and that a tyrant was upon no pretence to be resisted. And I think it a fatal stroke

* Vide State Tracts, vol. I.—Orig. Note.

to the kingdom, if the Sevenois were denied assistance through this modern principle, whose support was both lawful, and of infinite advantage to the allies.

To support that unsupportable sense of the homilies, the doctor produces the concurrent opinions of many learned fathers, down from the Reformation to this day, who have preached the same doctrine, and thinks this case extreme hard that he should be accused for what others have received thanks; he might very truly have added, and been made bishops for it, and then he would have explained the reason why they preached it, and what he himself expected for having done it.

It is allowed by all sides that the Manwarings and Sibthorps were the first authors of King Charles's misfortunes, by misguiding his conscience in the very same point, in effect, that you endeavour to deceive the queen: It was some as wicked as you who persuaded her father, that the church of England would not, nay, could not, resist; and you think it your singular misfortune that for this fatal doctrine you have not received thanks, or preferment, from her majesty.

Notwithstanding that some fathers have strained such homilies as regard this point, which was always the highway to preferment, yet they have rejected others; which is a strong argument to me, that the article which contains the homilies was never confirmed by parliament, and that the clergy thought themselves at liberty to amend, alter, or reject, wholly, or in part, any article that did not "concern the confession of the true Christian faith, or doctrine of the sacraments;" and therefore the homily about the idolatry of pictures and organs is now exploded as erroneous, and the use of them now allowed; which could not have been done by the clergy alone, if that article about the homilies had been confirmed by the 13th of Elizabeth, as it is pretended.

The doctor's managers insist, that their doctrine of non-resistance is warranted by law, and to prove this they read a clause in the militia act of the 13th of Charles II. viz. "That both, or either of the houses of parliament, may not lawfully raise or levy war, offensive or defensive, against his majesty;" and the same parliament in the next sessions had framed a position in the Corporation Act in the same sense, and almost in the same words, viz. "That it is not lawful, upon any pretence whatsoever, to take arms against the king," and obliged people to swear to this declaration. The oath in the Corporation Act, and the clause in the Militia Act, being convertible positions, both only declaring the illegality of resisting the king, if the clause were made the oath, or the oath turned into the clause, it would make no difference: Since therefore the corporation oath stands repealed by the first of W. and M. the militia clause being one and the same thing with the oath, is not only virtually, but expressly repealed too; and those acts being made upon the Restoration, only to condemn the antimonarchical principles, and to settle the power of the militia in the king, it would astonish the makers, who designed only to preserve one part of the constitution, viz. the monarchy, to see that very act stretched to the subversion of the whole.

They who are not satisfied with this may observe, that by the several acts mentioned in the preamble of the impeachment, the very substance and intention (if it had any such intention) of the Militia Act is damned, and the arms of resistance avowed to have been justifiable and necessary; and to confirm the legality of resistance in some cases, the Act of Rights and Liberties, 1st of G. and M. sect. 9. says, That upon such and such misdemeanors of the king and queen, the subjects shall thereby be absolved from their allegiance, which act will and ought to protect them against the statute of treasons of E. III. if they in such cases do resist: And this act will justify, that there is an indispensable duty of resistance in some cases, and that they are traitors to posterity who refuse to perform the trust reposed in them by this act; that to encourage them to resist, has absolved them from their allegiance; that to protect them in resistance, has granted them an indemnity.

But since some learned gentlemen would prove the law *felo de se*, and make a clause of one act, to destroy both law and parliament; since some ridicule the original contract, by importunately desiring to see it; I hope I shall be able here to give a good account of it, and to shew the original right of the people to defend themselves against a king becoming a tyrant.

I suppose nobody expects to see an original contract in writing, time must needs have worn out that, and 'tis likely it was only verbal; and we must be satisfied with the best evidence a matter of that nature is capable of: If the first records of authority mention the conditional tenure of the crown, and the duties imposed on the king by the people; if our former kings have confirmed this in parliament; if the opinions of all the ancient lawyers agree, that the people had an original right to what was so confirmed; if the people have ever since enjoyed and maintained that right; sure there's something more than fable in this original compact.

In the Saxon parliaments, few new laws were enacted; but the custom then was for some of the most learned members to declare upon oath the fundamental laws of the realm to the king and the people. I find in Edward the Confessor's time, twelve sworn sages pronounced the law thus: *Rex ad hoc est constitutus, ut regnum et ecclesiam ab injuriis defendat, quod nisi fecerit, nec nomen regis in eo constabit, verum nomen regis perdit; debet justitia magis regnare quam voluntas prava*: And further, *Rex eris dum bene regis, quod nisi feceris, nomen regis perdis*. Lambard 142. I observe here, that first the excellent duties of the king are enumerated, and the purposes specified for which he was made: That in the beginning there was a limitation set upon his power, that he should rule by the law, and not by wicked will or arbitrary power: That the original conditions were expressed, for the breach of which he was to be unkinged; which strongly makes out an original contract.

If it be observed here, that it is not expressly said, that the king was constituted by the people, nor that the people are to depose him upon failure of his duty, yet it must be allowed, that there were conditions annexed to the crown, and that it was forfeitable for the breach of them; and when we find who had a right to punish delinquent kings, we shall discover between whom the original contract was made.

The Conquest has made no alteration in our fundamental laws; for even the conqueror submitted to wear the crown upon the conditions that his Saxon predecessors had enjoyed it. After this, the first memorable assertion of the people's right by the original contract was in King John's time, which at last ended in a full recognition of the people's right to dethrone tyrannizing kings. I'll only repeat part of the substance of a clause in the act of parliament, drawn in the form of a charter, and refer the examination of it to the whole clause in the Appendix: "If the king, or his justices in his absence, do not reform miscarriages within forty days after they are complained of, the five-and-twenty barons, and all the commonalty of England, may distress us by all the ways they can, till it be amended, and the subjects may swear to obey the said barons, and to distress us."

I know of no objection to be made against this charter, but what may be made against the great charter; and historians say, they are the very same, which may be the reason why this is omitted out of the statute-book. The lawyers of those times concur, that the people insisted only upon their ancient liberties; the Confessor's laws say, the tyrant shall be unkinged. This charter declares who shall have power to unking him. The method only was then settled of making use of the coercive power of the people, which was before their original right.

Bracton, lib. 2. c. 16. Fleta, lib. 1. c. 17. express themselves, "That the law is above the king; that the high court (of parliament) is superior to the king; that the king is

* Charter of King John, dated at Running-Mead.—Orig. Note.

made by the law : And therefore if the king be without a bridle, that is, without law, they must bridle him." These opinions justify, that the people had a right to bridle King John, a most unruly prince, and that King John granted them nothing but what was their due. If these authors are not often quoted in the hall, it is because they are not case-reporters ; but considered as historical collectors of the old law, they are certainly in this case the best evidence. Some gentlemen may perhaps object, that these laws are too old to be of force, as they say that some precedents are too modern to be good. But the opinion of Chancellor Fortescue is ancient enough to be venerable, and modern enough to be credited.

The chancellor in the 9th chapter tells the Prince of Wales, "That England is a political kingdom, and that the king governs by a political power ; therefore he can't alter the laws of the kingdom." C. 13. He tells the prince, how a political kingdom is to be made ; "A people that raise themselves into a kingdom must ever appoint one to be the chief ruler of the whole body, which in kingdoms is called king." Then he informs the prince of the original of this political kingdom of England, viz. "That it was formed from Brutus and his companions." Then he informs by whom, and to what end this political kingdom was formed, viz. "The king was made and ordained for the defence of the law of his subjects, and of their bodies and goods, whereunto he receiveth power from his people ; so that he can't govern his people by any other power." It is plain, that Fortescue thought the king derived his power from the people ; and I much rely upon his opinion, as being the most learned and best of our chancellors, except the present. He lived at a time when the title of the crown was most canvassed and best understood : He wrote for the instruction of the heir apparent, was too great a lawyer to mistake the fundamentals of our constitution, and too faithful a counsellor to misguide the judgment of the young prince.

Wherefore, since it appears by the most ancient monuments of the constitution, that limitations and conditions were originally imposed upon the king, and that the king upon his demerits was removeable, which necessarily implies an original contract ; since Chancellor Fortescue affirms, that the King of England was made king by, and received his power from, the people ; since by the *Magna Charta* of King John, the right and power of dethroning kings, for breach of the contract, has been acknowledged and settled in the people ; the original contract must needs have been between the king and the people, who gave the king power to govern, and reserved a right to themselves to remove him for tyranny ; which power and right have been enjoyed by the people from the original of government in England down to this day, as often as the necessity of the case compelled him to make use of it.

But since some are endeavouring the ruin of the state, by an upstart doctrine of the church, it is with great pleasure I have read the history of the Church Resistant, Protestant Catholick as well as Roman Catholick ; and it is exceeding comfortable to me, who, with regard to my duty towards God, think it a heinous sin to rebel against the lawful powers of a good prince, and yet, with respect to my country, think myself indispensably obliged to resist the unlawful acts of a tyrant ; to find, that this doctrine of non-resistance (as now preached) is not the doctrine of the church of England, nor the true sense of the homilies, that the practice and opinions of all the subsequent convocations have been contrary ; to find, that the true meaning of "kings having their power from God, is not, that they have any distinct authority besides the law of the land derived to them from God, but that, by the laws of God, the authority of the law of the land was secured to them : That the laws of religion in the scripture did only establish the several constitutions and governments that were in the different parts of the world." To find all this so well proved, in the incomparable speech of the Bishop of Salisbury, and by the opinions of the greatest part of the sacred bench ; to find the truth force itself out of the mouths of the prisoner's council, who did all full

and plainly own, that in cases of extreme necessity an exception of the doctrine was to be admitted, and that such was the case of the Revolution; to find the Revolution justified, by those who were brought there to arraign it, gives entire satisfaction to my conscience, that I performed my duty to my country in resisting King James, without breaking the law or ordinance of God.

But you, doctor, wave all defences, but that of your homilies: And of all their expositors, the opinion of Bishop Sanderson is properest for your purpose, and the spirit of it very agreeable to your genius: I dare not be so unmannerly free with either dead or living prelates, as you, you dutiful son of the church; nor do I believe, nor will I call Bishop Sanderson a false son of the church, or a perfidious prelate, because I think him out in one opinion; which maintains that "Defensive arms are *de toto genere* unlawful, and may not be taken up by any man at any time, in any case, upon any colour or pretension whatsoever; nor for the defence of religion; nor for the preservation of a church or state; no, nor yet, if that could be imagined possible, for the salvation of a soul; no, not for the redemption of the whole world."

If this doctrine be orthodox, then Christ came into the world upon a poor errand, to be crucified for the redemption of mankind; which, in this bishop's opinion, is not of equal consideration with the interests of a single man. I take this doctrine to be so far from being apostolical, that I make bold to affirm it to be a wild and blasphemous rant, and very proper to be burnt with Doctor Sacheverell's blasphemous collections.

As they are many precedents to justify resistance in the history of the Jews, in whose political government God had such an immediate hand, as to condescend to be for some time even their king, I shall only give one instance of the resistance that the Maccabees made against Antiochus, when he endeavoured to make them break their laws by eating swine's flesh, and attempted to introduce idolatry into their temples. This, in Bishop Sanderson's opinion, though to save their church and laws, had not been sufficient cause to resist; yet we see that God himself supported their just cause, and by God's assistance, "they quenched the violence of fire, escaped the edge of the sword, out of weakness were made strong, waxed valiant in fight, turned to flight the armies of the aliens." Though St Paul himself gives them these encomiums, yet this bishop would make St Paul say in another place, that they, and all those who resist in any case whatsoever, were to receive to themselves damnation.

I doubt not if St Paul were now living but he would applaud the arms of the English taken up against their Antiochus, because, as in the case of the Maccabees, idols were brought into our church, and our laws broken; and because that God, even our own, and his God, has given them his blessing.

The managers for the doctor bring another argument against the Revolution, and say that they are proud of the part they acted in it; and yet it was rebellion, because if they had not succeeded they would have been all hanged by the laws. Undoubtedly, if a tyrant gets the upper-hand of the subjects, he will put them to death without mercy, and we know that King James had then a set of judges, and some bishops, who would have declared it both law and gospel. But those who consider the authority of the laws before-mentioned, will say that King James, upon his male-administration, was *ipso facto* no king, and that there could be no rebellion against him to whom no allegiance was due.

It seems strange to me that gentlemen should value themselves for being rebels, yet I wish that some of them may not really now think, that they deserve to be hanged for having done so much at the Revolution. And it is to be apprehended, lest through a constant reflection upon their rebellion, and injustice done to the late king, they

² Thorndike, p. 306. St Chrysostom, Hom. 27. in Epist. ad Heb. et alli.—Orig. Note.

may at last, through a compunction of conscience, think of some restitution; and to make some amends for the expulsion of the father, at last propose a restoration of the supposed son.

This leads me to reflect, who have revived this doctrine, to what end should it be now trumped up, and universally preached? How is this doctrine wholesome and necessary for these times? When our beloved queen reigns in the very souls of all her people, except Sacheverell and company. I must observe, that the author of the Latin sermon, not contented to instil artfully this poisonous doctrine into the ears of most of the congregations about town, but projecting to spread it universally, took an opportunity to harangue the whole clergy of London together. The duty of the day was forgot, the design of the preacher was only to defend and recommend this doctrine to their particular care; and in his dedication he gives them their cue, and insinuates that this doctrine, by a common consent, and a common concern, is to be propagated.

Sacheverell's part was to set right (as they cant) the young clergy and youth of the university. And these two gentlemen have laboured so abundantly in their provinces, that go to most churches, and you will be apt to think there's but one text in the Bible, or that every text speaks but one thing.

Since this rank weed has so overspread, and is so deep rooted in the university; since a new set of professors is established to teach jacobitism; since such industry is used to breed up the young nobility and gentry in an aversion to the true principles of our constitution, in an abhorrence of the late Revolution, in a general dislike of the Hanover succession, since they are become downright nurseries of parties and factions; since even popery itself begins to peep abroad, something more must be done by the parliament than burning their decrees, or else a foreign education will infallibly be the consequence.

When was this doctrine revived? Since the declension of the power of France, and a little before the Scotch expedition. What are the necessary consequences to be drawn from these doctrines, if they were once settled? That the Revolution was founded in iniquity, and that injustice was done to King James, who ought not to have been resisted; then it will follow that King William and Queen Mary were usurpers, that our rightful and lawful queen is an usurper, that there is another brood of usurpers coming over from Hanover, and that so much blood and money has been spent in an unjust war. These are the odious and black colours that these gentlemen cast upon the Revolution and the present government. And to what purpose they do it at this juncture appears plainly, since now they have lost all hopes of carrying on the work by a French power.

Who were most concerned for the good success of Sacheverell's doctrine and trial? The non-jurors, jacobites, and papists; who own this to be the fairest push that ever was made for their master. Who were the most remarkable managers for the doctor? Those who were for an administration and regency, and against the coronation of the P. of O. Those who put such a sudden stop to the last war, and were so unwilling to enter into this; those, who distressed King William into the Partition Treaty, and afterwards thought it reasonable to hang his ministers for it; and those to a man, who were against the Union, and now with their usual sincerity pretend to be the zealous maintainers of it; how close are all these united, and almost under arms, to defend this unknown and worthless man, hated by all who know him, for his ingratitude and presumption; nay, they themselves will tell you, it is not the man, but the cause, they defend. Since therefore we defend the cause of the Revolution, I wish they would explain what cause it is they defend.

It is remarkable, that now all private quarrels are forgot, and open enemies put confidence in one another: Nobody hated Sacheverell more than the chief of his managers. Sacheverell was never so bitter as upon a certain false brother, whom he dis-

tinguished in his sermon by the name of turn-coat: But for that purpose, and at that time, Pilate and Herod were made friends, for before they were at enmity between themselves.

Sacheverell, in his speech, would make us believe, it is impossible that he should be a favourer of the Pretender, because he has abjured him. This indeed would be a good argument in the mouth of a man of probity; but since Sacheverell and his managers allow of mental exceptions and reservations, we must examine this matter. It is now well known, that some gentlemen formerly, who would never qualify themselves for the lieutenancy, or the commission of the peace, took all the oaths to get into the House of Commons, and had dispensations for the services which they were capable of doing there. There are now circumstances to make us believe, that the Jacobite clergy have the like instructions to take any oaths, to get possession of a pulpit for the service of the cause, to bellow out the hereditary right, the pretended title of the Pretender. Have not the non-jurors at this juncture, and for this very purpose, taken the oaths? Has not parson H——s, the most inveterate and most impudent of the non-jurors, just now done it; and did he not lately out-brazen Sacheverell himself? And no doubt but for the same cause that H——s has sworn allegiance to Queen Anne, Sacheverell has abjured the right of the Pretender. We know that the one allows the defactoship of the queen, and the other reserves to himself the divine right of the Pretender. Sacheverell says, that he has given publick demonstrations of his true zeal for her majesty, by defending her title to the crown. Which he does thus in his Oxford sermon; he allows, that by a long succession of her royal ancestors, an hereditary right has been devolved upon her, and says very truly, that even her very worst enemies will acknowledge it, as he himself, and Mr Leslie, who was the first defender of this title. Ask the gentlemen at St Germain's what title their master has to the crown of Great-Britain, they'll say his "hereditary right devolved upon him from his royal ancestors." Ask Sacheverell what right the queen has to the crown, he answers, "her hereditary right devolved upon her from her royal ancestors." But if these advocates should ever meet, they would soon reconcile these difficulties, and compound the two hereditary rights into one. Sacheverell, Leslie, and the queen's new council extraordinary, maintain her hereditary right to the crown, because they pretend to know that there is a nearer heir: It is for this they labour to make the crown hang upon her head, only by that slip-knot of hereditary right, when it is so hard bound on by parliament. And if that point could be once gained, they are ready, no doubt, to produce their immediate heir; and thus these counsellors, a set of false brethren, that the doctor takes no notice of, whilst they pretend to be of council for the queen, only open and set forth the title of her adversary. It is thus that these defenders will allow the hereditary right of the Hanover family, because they know that even the house of Bourbon is before them.

The king and parliament have always had and used a power of settling, directing, and binding the descent of the crown in the royal blood, different from the common course of other inheritances (it was a treason to deny this by the 13th of Elizabeth, which act in substance is revived by the late act of the queen) who often have preferred the mediate heir to the immediate, as lately the queen was advanced before the Pretender, without taking notice of his illegitimacy; the house of Hanover, before the house of Savoy. When Sacheverell and his managers talk upon this point, they are just upon the brink of treason, puzzled to bring it out, and labouring to with-hold it.

Mr Hoadly, who, to his honour, has incurred the malice of the whole party, and been recommended by their satire to the parliament, and by the parliament in a very honourable manner to the queen, has admirably exposed the self-contradictions of one of them, in the appendix to his last book:¹ There he brings in the dean, desiring

¹ Rights and Powers of English Convocation, ed. 1. p. 105.—*Orig. Note.*

“That the clergy may be put in heart, and be at hand always, to stand up with them (viz. the laity) and to resist a growing tyranny, either in church or state.” Mr Hoadly is not able to reconcile this doctrine with that contained in the Latin sermon: But though such inconsistent principles are irreconcilable, yet, if we consider the circumstances of time, we may account for them; because it seems to be much the same design that made him print that doctrine then, that has made him preach this doctrine now. That book was printed in 1700. Then King William was upon the throne, and the Hanover succession upon the anvil; then Mr Dean was ready to resist a growing tyranny in church and state. The Latin sermon I hear was first preached in English about 1708, then it was a damnable sin to resist their hereditary right, who was about that time on board the Mars.

Since the doctor complains so much of his hard fortune to be misunderstood, and other hard circumstances of his impeachment, I must here enumerate some of his felicities: First, he sent to Oxford for a testimonium of his loyalty and good behaviour; they, it seems, were so much inclined in his favour, as only to deny it; and so backward, as not to draw up an information against him. Next, he had the confidence to appeal to a noble lord in his speech, the Bishop of Lichfield and Coventry, for his character; after which day the bishop charitably absented from the house, apprehending (as it is supposed) that he might be called upon to give a character of him, which would have been such (it is believed) as would have made out the criminal intention laid in the impeachment. If this be not true, it would be much to the doctor's reputation yet to procure a testimonial from the bishop. Is it not a peculiar happiness that has attended the doctor through the whole course of his trial, that though he challenges the world to shew any indication of his dislike to the protestant succession, to prove any favourable expressions towards the Pretender, or aspersions upon the memory of the late king, nobody appeared to prove, that this innocent doctor had said that King William deserved to be Dewitted, and that he had cursed him for his legacy, the Hanover succession?

To conclude this article, let us consider this loyal and faithful subject; this sincere protestant, associated in principles with jacobites, papists, juring, non-juring, and (what is worse) such abjuring clergy; let us consider this defender of the queen's title, who waves her parliamentary limitation, to rest it only upon an hereditary right. Let us consider this friend to the protestant succession, who ridicules the parliamentary right under the name of the Right of the People, and the title of the Mob, taught by new preachers and new politicians; when it is certain, that the house of Hanover has its title by parliament: Let us consider the scope of the sermon, and we cannot but say it was to condemn the Revolution; and if the doctor is guilty of any of these ill intentions, he is in a most deplorable condition, and has now more occasion for the prayers of the church, as under a state of reprobation, than when under an imaginary persecution.

Article II.

The managers against the doctor say, that in pages 8, 9, among the several sorts of false brethren, with relation to God, religion, and the church, enumerated by the doctor, those who defend toleration and a liberty of conscience are comprehended. The doctor himself has not sworn off the intention to condemn a toleration, but owns in his speech, “That what he may have said offensive of that, cannot be adjudged to reflect on the act of exemption.” Here the doctor only distinguishes himself off, by saying that he reflected only upon A Toleration, and not The Toleration, or legal indulgence, which looks to me more like a quibble than a distinction. He says that he cannot be thought to reflect upon the act of parliament, because there is no act of toleration. Does not the doctor and his managers continually tell us of the Test Act?

And, though there is no act so entitled, yet we understand what act they mean, as they understand us, when we talk of the Toleration Act, to mean that act of the first of William and Mary. Is there a necessity, either in speaking or writing, to use such circumlocution, as to say "The act for exempting their majesties protestant subjects dissenting from the church of England from the penalties of certain laws," as often as there is occasion to speak of the toleration? Do not our publick instruments run thus? Has not the queen promised that she will inviolably maintain the toleration? But the doctor takes this to be one of his hard fortunes, that the lords, his judges, should understand this word, or any other words or passages of his sermon, in the common sense that the rest of mankind do. The doctor says there is no such a thing as a toleration act, because the word Toleration implies more than the law-givers designed to grant: The act says, in section 8, that such "persons shall be exempted from penalties for the exercise of religion, permitted and allowed by this act;" which seem to be more favourable words than tolerated; allowance, in my humble opinion, implying approbation; toleration, only a bare sufferance.

Let us here examine how the doctor treats the dissenters, if not his brethren, at least his nearest relations in Christ. It would be tedious to repeat all the nasty names he bestows upon them, but let us observe the history that he gives of them in page 20. First he pretends to give you the original of these miscreants, begot in rebellion, born in sedition, and nursed up in faction; then he tells you they are grown up to be almost Christians, seditious, and schismatical impostors; and then they became wretched, empty, hypocritical sophisters: Then he tells you what is to be done with them; they are to be treated like growing mischiefs and infectious plagues. Then he disposes of them, conducts them to hell, and there settles them. This is the liberty of speech that the doctor takes, yet how barbarous was it to call him only a tool of a party! In how Christian-like manner have these dissenters borne these revilings? With what resignation and primitive patience have they endured the late insults and injuries done them? Sure self-defence is lawful against midnight incendiaries, plunderers, rioters, felons, and rebels; yet how did these people, bred up in the principles of rebellion, defend themselves, but by flight? Have these clamorous church-devouring malignants even so much as complained of the church-men who raised this mob? Have these professed enemies of the queen undutifully remonstrated to her, that the publick faith of the nation has been violated by the indignities lately done to their religious worship? Have they murmured at their losses? Or petitioned the parliament for a recompence? So dutiful has been their behaviour!

The modern Laudeans can scarce bear the word Reformation; which their predecessors formerly called a Deformation. But this toleration will be for ever odious, because it was introduced by the late king; and moderation will be always called *cant*, because it came lately from the throne. The first will undermine the church, the last will blow it up. The project of comprehension, undertook by some of the best clergy in England, must be called a monstrous and villainous scheme of these ecclesiastical Achitophels, to fill the church with unhallowed pagan beasts (*i. e.* dissenters) instead of Christians; but how favourably have the gentlemen received, and how willing are they to give into, the famous project of reconciliation with the Gallican church? From which they think the church of England parted but with a thin veil: But if it be true, that some French clergymen have a mind to meet us, I wish we had them in exchange for some of our high-flying clergy, who are more than inclined to run over to them. And for this reason you may believe them, when they say they would rather be papists than presbyterians.

It is well known how they lament the lost power of the church, which they appre-

hend will never be retrieved by a toleration, or the Hanover succession ; we see how they endeavour to advance their authority, and to bully us with their anathemas ; we know that some of them blasphemously repine at the want of the miraculous power of the church in the first century. How flourishing, say they, would be the state of the church, how triumphant here upon earth, if we had once more the power to send our enemies quick down to hell !

But God is so gracious to us, as not now to entrust these high-flying ambassadors with such full powers, considering that he has given them at present too little grace, mercy, and charity, to manage them. If Sacheverell's loins were girt with this flaming sword ; he, who says, " That princes should answer with the sword, and the church with anathemas," it would be doubted whether he would look like an overseer sent by the Holy Ghost, or rather like a destroying angel. I will pass by the scurrilous language given to Bishop Grindal, and tell the doctor one secret, that if he had lived and so scandalized the hierarchy in haughty Laud's days, he would infallibly have gotten that indelible mark on both sides of his head, which Mr Burton had for the very same crime, notwithstanding his sacred character ; which ought to make the doctor to forbear upbraiding the lords with fear to punish, because their mercy was so unparalleled as almost to forgive.

Article III.

As to the third article, the doctor justifies the danger of the church, and humbly opposes his single opinion against the general sense of the queen, and the two houses of parliament, and maintains it to their faces ; but denies, that he designed to blacken that vote of parliament which declared the church to be out of danger, by comparing it with the vote that declared King Charles's person out of danger ; and would avoid, that he intended to " insinuate that the members of both houses, who passed the said vote, about the safety of the church, were then conspiring against the ruin of the church."

A vote having passed in parliament, declaring the church out of danger, the doctor durst not arraign that vote directly : And yet some way must be found to blacken it ; and no way was thought so proper, as to compare it to that vote which declared King Charles out of danger ; with this addition of the doctor's, only to make the application, that at the same time his murderers were conspiring his death. This he knew would bring consequential scandal upon it, and insinuate what was not safe to affirm expressly, that the members of parliament were contriving the ruin of the church, when they voted it out of danger, because every body knows, that the parliament which made that vote about King Charles did conspire his murder. But the doctor says, that they who voted the king's person out of danger were not the very same persons who conspired his murder, and therefore he could not make the insinuation. Though the comparison should not exactly run upon all four when examined, yet the doctor designed to make that insinuation, by giving just as much of the history as served for that purpose ; and if it should be true, that but a remnant, or a few of that parliament, which voted the king out of danger, were the contrivers of his murder, yet still it will serve the doctor's ends by way of comparison ; for in parliamentary language it was still the same house, and differed no more than a thin house from a full one, and therefore it was the same house, some members only absent, that voted the king out of danger, and conspired his murder.

The great design of the sermon was to undermine the queen's title to the crown, to asperse her administration both in spirituals and temporals, and to traduce the late parliament, and for each article he has provided a parallel by way of illustration. To stigmatize the church under the government of the present bishops, he says, " It is very obvious to draw a parallel here, betwixt the said circumstances of the church of Co-

ninth formerly, and of the church of England at present; and this is done without discouragement, he is sure with impunity, by our pretended friends and false brethren." Who the pretended friends are, which ought to discourage, and are able to punish schisms, except those false brethren the bishops, I don't well know.

To dishonour the last parliament, he compares their vote about the church to the vote of the Rump-parliament about King Charles's person.

At last, alluding to the present times, he thinks to come home to the queen by a notable parallel, when he says, "That though the ways of Zion may mourn for a time, and her gates be desolate, her priests sigh, and she in bitterness, because her adversaries are chief, and her enemies at present prosper," (*at present* foisted into the text only to make the application evident :) "This is the lamentation of the prophet, when Judah was gone into captivity, the king in a foreign country, and an usurper upon the throne." Can any body think that this gentleman had no ill intention, though he swears it, or no design at all, as his managers say, in so many reflections upon the queen and ministry, so artfully covered, and so methodically digested into parallels?

To shew the danger of the church, the doctor gives us this character of the present age, "For besides the deluge of prophaneness and immorality, which overspreads the whole kingdom; besides the variety of those schisms, heterodox opinions, and damnable heresies, which are daily published and propagated among us; I verily believe, that never were the ministers of Christ so abused and vilified, never was the divine authority of the Holy Scriptures so arraigned and ridiculed, never were infidelity and atheism so impudent and barefaced, never were such horrid blasphemies printed in any Christian state, from the foundation of Christianity to this day." So much of the doctor's speech I'll justify to be his own genuine product; so elegantly he always declaims, so honestly he represents, so charitably he judges of his neighbours: If a stranger were to read this, he would be apt to think that there was never a good man in Great Britain besides the pious Doctor Sacheverell; so general is the deluge of prophaneness, that he must be the Abraham to intercede for us.

If our neighbours believe this man, they must gaze at us in expectation of our immediate destruction, as a people more abandoned than ever Sodom was. If posterity believes the execrable report of this defamer, they'll be ashamed of their ancestors.

Are not we even now considered as a church, the very pride and boast of the Reformation? Are not we considered as a people, the honourable head of the united body of Christendom? Yet Doctor Sacheverell says, there was never any such wicked "Christian state, from the foundation of Christianity to this day."

Is not the church (thus traduced by this her dutiful son) the main strength and bulwark against popery? When was there greater care or piety shewn for propagating the reformed religion than at this day? When were our churches at home better filled, or with a greater appearance of real devotion? When, or in what church of the world, were seen such large liberal charities, as are at this day for educating poor children in religion and virtue? And though vice and immorality have been always too prevailing, yet there never was a time so proper for the doctor's purpose, to charge the nation with it, as under the queen's administration.

Now the managers have recourse to the doctor's godly collections, which they call proofs of the general corruption of the nation in matters of religion; and on that head are brought the abortive labours of that great Billingsgate logician Edmund Hick—, of that crackbrained projector Asgill, of that poor poet Gildon, of that atheistical vagabond Toland, and of that eminent statesman John Tuchin, lately defunct.

Here the doctor has learned of Squire Bickerstaff to engage with the dangerous shadows of the church's enemies, chalked out upon the wall: Are the writings of these

two or three insignificant fellows sufficient grounds for an honest man to charge a whole nation with atheism and infidelity? But by the doctor's logick all men are irreligious, because a few are so: But the managers against the doctor say, that all the passages that are quoted in the Collections, to make out the present danger of the church, prove no new danger of the church, since the passing of that vote, which was in 1705, because all those books were wrote and printed long before 1705, and shew that the administration has been so vigilant, that the books and their authors have been all censured and punished.

The good Bishop of London very justly prosecuted that abominable brute Hickeringhill, to his damage of 20,000*l.* if such a fellow were to be believed. I am apt to think, if the doctor had known Hickerhill's principles before that prosecution, he would have spared him, as well as the rest of the blaspheming high-fliers; for Hickerhill was once (in the doctor's sense) a true son of the church, as appeared in that saucy dialogue he made between Captain Edmund Hickerhill, rector of All-Saints in Colchester, and his friend Cornet Compton, Bishop of London. Asgill has been punished both in England and Ireland for his maggot; Gildon is more than half starved by several long imprisonments; and Mr Blunt has already accounted to God for his errors. The Observator was prosecuted in Westminster-Hall, and escaped the pillory but by a mistake of a figure; and if any minister was then lazy, I doubt it will fall upon the then attorney-general.

The rights of the Christian church having exposed the principles of some of the clergy, who are for setting up an independency in the church, has justly incurred their displeasure; and if the house had not burnt the book, for one unwary passage, the universities, who have had it long under their consideration, were resolved to do it for the whole as soon as they had answered it. I confess I never heard of the anonymous books in the Collections, and as I had forgot the others, I should certainly never have known these if the doctor had not taken this method to republish and perpetuate them in the record of the trial.

If the doctor had been sincere enough to have pointed to the real danger of the church, he should not have forgot Mr Dodwell's book about the "Natural Mortality of the Soul," &c. which has shocked the very foundation of Christianity: He is a gentleman of such extraordinary learning, such a philosopher, such an historian, and so accurate in polemical divinity, that his writings are of great authority with the learned themselves, and unquestioned by the ignorant. How fatal then must an atheistical position prove, when advanced and defended with so much plausibility, and so many seeming arguments as that prodigious man is furnished with? This is attended too by another melancholy circumstance, that neither the great South, the learned Smalldridge, nor the divine pen of Atterbury, who see so clearly the church and her sons in danger, have in the least enlightened, or assisted us poor lay-folks, against so dangerous a prepossession. What can be the reason of this, but that the zealous jacobite atones for the dangerous atheist?

The same doubtless is the true reason why so many scandalous and obnoxious passages in the books of Leslie, Hicks, and others, have escaped the censure of the doctor's Collections: The compilers of that extraordinary piece might, almost in every page of those factious turbulent writers, have found the most virulent reflections on the whole body of the clergy: Taxing them with downright atheism and infidelity, prostituting their faith and consciences for the hopes of some temporal profit or preferment, and giving up their flocks and their own souls to the men in power. In these authors they might see the supremacy of the crown turned into ridicule, and abused in the most opprobrious, villainous terms: They might see the Reformation exposed and traduced in terms that even the papists would blush to use, and all our first reformers represented as a pack of mercenaries, who would sell the church for gold; and

such advances made towards popery, that even their own missionaries durst not bare-facedly make such forward steps: But all this and much more is allowed, nay approved, in men so eminently serviceable to the Pretender.

Next to prove the danger of the state, the doctor produces some passages out of the *Observator* and *Review*, which reflect upon the queen, state, and ministry. One of these authors has been already pilloried, and the other very narrowly missed it. And if the queen and the ministry were so happy as to have no other or no more dangerous enemies, than these two authors, I would venture to declare the queen and government out of danger. But why was the famous *Application*¹ forgot here, when the doctor was collecting the dangerous writings against the queen and state? I fear the doctor was too intimate with the promoter of that treasonable remonstrance, against the queen's power of proroguing the convocation, which illegal practices produced the severest reprimand to the lower-house that ever came out of her majesty's most gracious mouth.

Do not the deductions drawn from the book entitled, "*The Rights, &c. of the English Convocation*," tend to deprive the queen of her supremacy? Do not the other writings of that author encourage the inferior clergy to rebel against the bishops, their superiors and governors; and persuade the whole body of the clergy to separate itself from its supreme head, by insinuating, that the clergy is independent of the temporal power, to the manifest invasion of the queen's ecclesiastical prerogatives: The queen, who is truly the nursing mother of the church, seems to be fonder of her supremacy than of any other jewel in her crown; it was with great difficulties, that our ancestors wrenched it out of the hands of our ancient popish clergy, to place it upon the heads of our kings (as too bright for any other) and nothing was able to fix it there, but making it capital to deny it: And now some of our modern clergy are endeavouring slyly to steal it back again, while others lay violent hands upon it.

Article IV.

The managers at Tom's make out the first part of the fourth article out of their own words, page 15, "where you affirm, that there are false brethren in church and state, who do weaken, and undermine, and betray in themselves, and encourage, and put it in the power of our professed enemies to over-turn and destroy the constitution of both." Then, that we may know whom you mean by these false brethren, you explain yourself in page 22, "That as to false brotherhood in regard to the world or state, we may see men of character and stations shift and prevaricate with their principles, start from their religion upon any occasion of difficulty or trial, and, like the disciples, flying from and forsaking our Saviour when his life lay at stake. What can unwary persons conclude from such tergiversation and hypocrisy, but that all religion is state-craft and imposture?" To give still a higher notion of these false brethren, the men of characters and stations, he advertises, page 18, "our governors, of the falsehood and treachery, as the qualifications of those who are entrusted with the guardianship of our church and state." For fear her majesty's lay-ministers only should seem to be implied in what he has already said, an after-thought in a dedication was printed, to bespatter her majesty's administration in ecclesiastical as well as civil affairs. For this purpose the doctor says, "That our constitution, *i. e.* church and state, is so vigorously attacked from without, and so lazily defended from within." Here the managers against the doctor want to be informed who they are, who in the doctor's opinion so vigorously attacked the church. I'll appeal to those who have conversed with the party, whether they don't think the miscarriage of the application to be the greatest wound the church ever received; whether they don't call them enemies to the church, who have

¹ Application of the lower-house of convocation in 1707.—*Orig. Note.*

acquiesced under the queen's prerogative of proroguing of the convocation, and rail at those who obstruct the sitting of the so long-called-for convocation. Who have owned the queen's prerogative, or who are judges of the necessity of the meeting of the convocation, but the queen's faithful counsellors, the bishops, who justly apprehend the ill consequence of letting so many distempered minds meet together, as may be found in that assembly, whom the queen has already charged with a plain invasion of her supremacy, and branded with want of duty to her, as well as to their superiors?²

If the party will allow the queen her supremacy, she must be the only defender of the faith and church; and as the queen does nothing but by an administration, and for that purpose the bishops are the proper ministers, I doubt it is too plain, that the doctor takes their lordships to be the lazy defenders. Then the doctor goes on, and in page 2 he says, that the church is "not only to encounter the open fury and violence of her professed enemies, but is to be betrayed and perfidiously given up by her own false-hearted and insidious apostles." These apostles of the church, who were in the foregoing page vigorous attackers and lazy defenders, are now become false-hearted and insidious apostles; and a little forwarder he says, that "such is the hard fortune of the church, her worst adversaries must be let into her bowels, under the holy umbrage of sons, who neither believe her faith, own her mission, submit to her discipline, or comply with her liturgy." The doctor bestows the title of son of the church on none but himself, as the dutiful son of the church, and the prelates, as that false son of the church Bishop Grindal.

I must recapitulate his charge upon the bishops, the false sons, who vigorously attacked and lazily defended the church, her worst adversaries, false-hearted and insidious apostles, who neither believe her faith, own her mission, submit to her discipline, or comply with her liturgy. If our hierarchy were so detestable as the doctor has represented it, I should think the church in the extremest peril; and if our nation were so universally corrupted, there would be too much reason to apprehend God's vengeance.

The managers for the doctor answer all this by telling you, that by those men of characters and stations, the doctor only meant church-wardens, sides-men, constables, and some justices of the peace, whose civil administration had given great offence to the doctor. I confess I knew not the dignity, authority, and power of those magistrates, till I was informed by them, that church-wardens and sides-men being entrusted with the guardianship of the church, have a power in themselves to weaken and undermine it, and an opportunity to put in such false sons as Bishop Grindal to betray it. A constable's office was never before now thought to be such a station and character, as that he, in himself, could, or was able, "to put it in the power of our professed enemies to over-turn and destroy the constitution and establishment" of either church or state.

The doctor himself apprehended this turn to be ridiculous, and makes a more colourable defence in his speech; he argues very speciously, that a man who has printed so many respectful expressions, and paid so many compliments to the ministry, cannot be guilty of defaming them, and that nothing ought to be received in evidence against such publick demonstrations as he had given. It is true, the doctor did commend the "happy administration of the government, and the refined policies of the parliament and ministry," in page 23 of a sermon printed in 1702. Then we know the doctor was pretty well pleased with the queen, and entirely satisfied with the refined policies of the ministry. The doctor is charged with defaming the ministry in 1710, and he answers, "That can't be, for I commended the ministry in 1702."

² Queen's Letter to the Convocation, 1707.—*Orig. Note.*

Upon this and other passages some people don't stick to say, that notwithstanding the doctor's asseverations, the whole speech is evasive and false, without one sincere tittle in it: And if the doctor has been made to speak (as he complains, p. 5, of his speech) what he never thought of, it was done by the makers of his speech, when they made him pray for the house of Hanover, and deny his reflections upon the present administration.

But the doctor, to purge himself fully, takes a short method to prepare your belief; tells you of his holy mission from God, and his commission from the Holy Ghost: Then, lifting up his eyes and hands to Heaven, he appeals to the "dreadful tribunal, at which he and all the world are to be judged; called the Searcher of Hearts to witness, in the most solemn and religious manner," that he was innocent of any design to defame the queen's administration or ministry. This solemn appeal to God, before such a venerable assembly, with so many religious circumstances, pronounced with so much vehemence, and such sincere behaviour of a Christian, works so strongly upon me, that my charity has blinded my senses, and makes me pray, for his soul's sake, that he spoke nothing but the truth. Yet some gentlemen, who pretend to know the man, to know his meaning, who affirm that he has expressly named one minister in page 22, who have a key to his men of character and stations, his guardians of the church and crown, desire to be excused, if they can't believe a protestation, though never so solemn, against a matter of fact. They say further, that some of your managers were astonished, and trembled at the oath, and have owned that you were chiefly employed to bespatter the present ministry, and some few finding their party so strong, are now angry with you for recanting it; but you have infinitely recommended yourself to others by it, who think you now a most useful person.

The latter part of the 4th article is made out by the Derby Dedication.

"Now, when the principles and interest of our church and constitution are so shamefully betrayed and run-down, it can be no little comfort to those who wish their welfare and security, to see, that notwithstanding the secret malice and open violence they are persecuted with, there are still to be found such worthy patrons of both, who dare own and defend them, as well against the rude and presumptuous insults of the one side, as the base undermining treachery of the other; and who scorn to sit silently by, and partake in the sins of these associated malignants.

"Though the truth seems to be so much forsaken at present, yet, God be thanked, they shall yet find, to our honour, that we have still amongst us those who have courage to speak it, as well as those who have lives and fortunes to maintain it: And though the age is sunk into the lowest dregs of corruption, that it cannot endure sound doctrine, there are not wanting some to preach it, and others to support it, at the expence of both: May the influence of good example, which as much animates our friends as it terrifies our enemies, be as diffusely prevailing as 'tis nobly conspicuous, and the blessing of that church attend you, which you so eminently adorn and sustain."

Here we are told from the pulpit, That "the principles of our church and constitution are shamefully betrayed and run-down with secret malice and open violence." Is not this to instill fears and jealousies into weak minds, and to make each man suspect the other of secret designs? And are not these fears and jealousies groundless, when our church is in a most flourishing condition, and the constitution of our state strengthened by so many good laws, and our good queen ready to give what more we desire?

When he says there are some "who scorn to sit silently by, and partake in the sins of these associated malignants," does he not knavishly divide the people by the distinction of malignants? Does not he tell us in his sermon who those church-devouring malignants are? And does he not immediately threaten those associated malignants, and tell them, that "they shall find, to our honour, that we have still among us those

who have courage to speak it, as well as those who have lives and fortunes to maintain it?" Does he not here blow the trumpet? Does he not here muster his forces? Does he not here inform us how resolute some are to maintain it with their lives, and how able others are to support it with their fortunes? Here he excites and stirs them up to arms: Here he directs them to the enemy, by pointing out to the associated malignants; and at last very piously gives them the blessing of the church to attend them in th good enterprize.

These godly exhortations have had the designed success, and open rebellion has been the immediate consequence; but the doctor again professes in the presence of God, "That it was without any fault of his, or the least encouragement given by him." This seems to some people to be another rash oath, who say, that the sermon influenced, and the doctor's indiscreet behaviour afterwards encouraged, the mob. But his managers say in his behalf, that when the gentry of White-Friars attended him at his chambers, and were so respectful to pull off their caps to him, he could not be so rude as not to bow to them: That he could not refuse the compliment of his solicitor, bail, council, and friends, to attend him with their equipages, before and behind, like guards, to the hall; and who could prevent his ungovernable footmen from hallooing themselves, and making the mob do so too? He never thought this would give the least encouragement; it was but Christian-like, to desire the prayers of the church when under persecution; and but politick, to lay the persecution upon the dissenters.

The doctor himself (as well as the rest of the world) thinks, that the "charge of wickedly wresting divers texts of scripture lies very hard upon him, as a Christian and a minister of Christ," yet he seems to me to stand very easy under it; when, to clear his holy character of so foul a blot, which he apprehends, if he were even acquitted,¹ must leave a scar upon his good name; when, to support an opinion of his integrity, "whose whole capacity of doing good in the world," he says, "principally depends upon it;" not one word has been suggested in his defence or excuse, but he again appeals to another tribunal to be judged by, when the sun is not plainer at noon-day, than several perversions of scripture in his sermon. But "he hopes, indeed, that those, whose particular profession and studies qualify them to be the most competent judges of such matters, will absolve him in this particular." If by being absolved, the doctor should mean to be acquitted of wresting the scriptures, I believe the most competent judges will not absolve him; but if by absolving, he means only forgiving, he need not fear but that, whether he perverts or blasphemes the scriptures, whether his appeals to God be true or false, for any wickedness he has done, or shall do, nay, if he were capable of assassination, he may be fully absolved, whilst such good confessors as Cook, Snat, and Collier, are living.

I have not yet heard any of his managers deny his corrupting the scriptures; none yet, but himself, have arrived to that invincible impudence. It will soon appear by the excellent speech of one of the managers, how he abuses them, sometimes by adding, sometimes by leaving out words and sentences; sometimes he mis-cites passages of holy writ, and always wickedly misapplies them. What an infinite scandal is this man to the church, who (unlike a Christian priest, pronouncing the immutable and plain truths of the gospel) resembles the heathen jugglers, making their idols speak their own sense, adapting their oracles to all occasions, and explaining of them to all purposes! How stedfast was the wickedness! How atheistical the presumption, to appeal to God for the truth thereof, when he ought to have humbled himself before God for the flagrancy of the sin!

Let us consider this man, who says he is "satisfied of the queen's being an affectionate nursing mother to the church," yet represents her as an unnatural step-mo-

¹ Speech, p. 21.

ther, who has committed "the guardianship to such lazy defenders, and put her professed enemies into her bowels."

This is the loyal and faithful subject who would die for his queen, and in defence of her title; who affirms to her face, that the means used to secure her succession to the crown were odious and unjustifiable.¹ This is the asserter of her prerogatives, who said, "That the church groaned under the prerogative act, and letter missive, *i. e.* her supremacy."²

This man doubtless must be in earnest, when he commends her majesty's happy and wise administration, and the vigilance of the ministry;³ yet, after that he has made the nation the very sink of perdition, he says, "That all those mischiefs walk up and down this distracted kingdom with impunity."⁴

If some persons, through a real sense of religion, should apprehend any danger of the church, by reason of vice and immorality, inseparable at all times from all nations under Heaven, always complained of, and never more than now discouraged, yet the queen has just reason to "think it very injurious to her, to take a pretence from thence to insinuate that the church is in any danger from her administration," and has as much reason to resent the indignity, and suspect the design, as her grand-father the blessed martyr had upon the very same occasion: "For," says he, "when they did observe that many honest and religious minds in that house did complain of those dangers that did threaten the church, they likewise took the same word in their mouth, and their cry was *Templum Domini, Templum Domini*, when the true care of the church never came into their hearts;⁵ and what the one did out of zeal to religion, the other took as a plausible theme to deprave our government; as if we, our clergy, and council, were either senseless or careless of religion; and this wicked practice hath been, to make us seem to walk before our people, as if we halted before God."

This man must not be thought to intend to asperse the memory of the late king, "whose government," he says, "was blown up by the providence of God, and who had ruined the church, had not an opportune providence interposed, *i. e.* his death."⁶

This man prays as heartily (as he swears) for the Hanover succession, but even there he won't acknowledge their right to the succession. So high he is for the uninterrupted succession; so firmly he adheres to the hereditary as the only right; and still supposes a parliamentary right to be the title of the mob.

He professes not to "have the least dislike of the indulgence granted by law to the dissenters," and says, "he has declared his approbation in the most express words imaginable," *viz.* Queen Elizabeth, like a queen of true resolution, and pious zeal, pronounced, that such were the restless spirits of that factious people, that no quiet was to be expected from them, till they were utterly suppressed; which, like a prudent princess, she did by wholesome severities, that the crown for many years sat easy, and flourishing upon her head; and had her successor King James but followed her wise politicks, &c."⁷ In his sermon he commends the wholesome severities used towards them by Queen Elizabeth, wishes that her successors had followed her wise politicks; and yet he'll take it amiss if we doubt his sincerity, when in his speech he desires to be believed that he approves of the indulgence now granted to them, who extols Queen Elizabeth for having totally suppressed them.

This man, who in his other writings continually demands the execution of the penal laws, as in Queen Elizabeth's time, and in the mean time admonishes our superior pastors to do their duty in thundering out their anathemas, to damn their souls (which he still affirms they can, and ought to do) since their goods and persons are protected

¹ The Character of a Low-church-man.

² Character of a Low-church-man, p. 29.

³ Speech, p. 15.

⁴ Ded. to the Lord-Mayor.

⁵ Rushworth, vol. I. Appendix, f. 6.

⁶ Low-church-man, p. 4 and 16.

⁷ Speech, p. 8.

⁸ St Paul's Sermon.—*Orig. Notes.*

by the law, will think it hard to be thought to betray any want of Christian moderation.

I hope yet, that we all mean the same thing, though we express ourselves differently about it; that we still wish the same thing, though we shew the contrary passions of joy and sorrow upon the same occasion. I hope we are all going the same way, though some of us look backward; that, though we seem to have different designs in working up the plot, yet in the end they will all tend to bring about one glorious action; and that there is no other but a laudable contention among us, who shall exceed the other in contributing to advance the queen's present happiness, and secure the protestant succession. Yet I would desire one side to satisfy the other of their sincerity, by desisting to give out that they are encouraged by the queen (to do I don't know what;) forbearing to libel the other side, under the umbrage of (so unacceptably) addressing her majesty, and by those addresses to insinuate that the queen wants encouragement from them; by ceasing again to traduce her majesty, as if she had a secret will, different from her declarations; and at last by granting her majesty her most ardent wish, in uniting the minds of her people.

There are some, no doubt, who would repeal the Toleration, and dissolve the Union; who endeavour to defeat the Hanover succession, and to unsettle the Revolution. They know well enough what obedience is paid, even by this abandoned people, to the word of God, and what influence the clergy have, even when they pervert it. This very method was taken formerly by the great Earl of Warwick; he employed a very significant tool, that ecclesiastical incendiary, and predicant herald, Doctor Goddard, who proclaimed (at St Paul's too) the divine right of Henry the Sixth, set forth the injuries done him, condemned the resistance made against him, arraigned the parliamentary title, and recognition of the undoubted right of the House of York; from hence the people concluded Edward the Fourth to be an usurper; immediately the London mob took arms, and deposed the lawful prince; and at that time it was the priest, and not the earl, who was the king-maker.

To prevent any such execrable attempt, let some great genius project a monumental act; let the preamble rehearse, how London and the whole kingdom have escaped a second fire, by professed and disguised papists; let the church, if possible, be settled in a more flourishing and safe condition; let the profession be still more encouraged, and the professors be made more worthy; let the obedience of the inferior clergy be bound to the superior; let the supremacy be secured to the crown, and the dependency to the state; and let some effectual remedy be provided against applicationers and occasional abjurers; let the crown be adorned with all its sparkling prerogatives; let it cast such a lustre as may make it look amiable, but not terrible: For the obtaining the queen's wish, for the uniting the minds of her subjects, and for the fulfilling her promise, let the toleration be established.

Let the Act of Union and the Hanover succession be made irreversible; let the Revolution be declared honourable; let the necessary means, the resistance then made, and in such deplorable cases hereafter to be made, be allowed lawful and justifiable.

Let the memory of our deliverers, King William and Queen Mary, be inshrined in glory: Then let the felicities of Queen Anne be recorded, to amaze posterity; and let her virtues be repeated for their example; let her zeal for the church, her benefactions to its ministers, her wise choice of its guardians, her love for her people, and their duty to her, be perpetuated. At last, let a most ardent prayer be framed (equal if possible to our wishes) for the longest continuance of her precious life, and for the invaluable blessing of an heir of her body: And to ratify this decree, it shall thunder and lighten from on high, and the voice of God, as it were, shall be heard in the universal joy and acclamations of the people. Amen, and Amen.

APPENDIX.

State Tracts, vol. 1. p. 53, 540.

And whereas we have granted all these things for God's sake, and for the amendment of our government, and for the better comprising the discord arisen betwixt us and our barons: We, willing that the same be firmly held and established for ever, do make and grant to our barons the security underwritten; to wit, That the barons shall chuse five-and-twenty barons of the realm, whom they list, who shall to their utmost power keep and hold, and cause to be kept, the peace and liberties which we have granted and confirmed by this our present charter; insomuch, that if we, or our justice, or our bailiff, or any of our ministers, act contrary to the same in any thing, against any persons, or offend against any article of this peace and security, and such our miscarriage be shewn to four barons of the said five-and-twenty, those four barons shall come to us, or to our justice, if we be out of the realm, and shew us our miscarriages, and require us to amend the same without delay; and if we do not amend it, or if, we being out of the realm, our justice do not amend it within forty days after the same is shewn to us, or to our justice, if we be out of the realm, then the said four barons shall report the same to the residue of the said five-and-twenty barons, and then those five-and-twenty barons, with the commonalty of all England, may distress us by all the ways they can; to wit, by seizing on our castles, lands, and possessions, and by what other means they can, till it be amended, as they shall adjudge; saving our own person, the person of our queen, and the persons of our children; and when it is amended, they shall be subject to us as before; and whoever of the realms will, may swear, that for the performance of these things he will obey the commands of the said five-and-twenty barons, and that together with them he will distress us to his power: And we give publick and free leave to swear to all that will swear, and will never hinder any one: And for all persons of the realm, that of their own accord will swear to the said five-and-twenty barons to distress us, we will issue our precept, commanding them to swear as aforesaid.

The Age of Riddles: Or, A true List of certain extraordinary Positions, formerly called Contradictions, but now distinguished by no Name at all. Faithfully extracted from several modern Doctrines and Practices.

Qui color est Albus, nunc est contrarius Albo.

This is a Tory squib, applicable to the period of Sacheverell's trial.

' The great charter of King John.

I. ALL government is over-turned by obedience, and established by being resisted; therefore,

II. The most eminent instance of loyalty is to condemn subjection; and he is the greatest rebel that preaches against rebellion.

III. Those are a prince's best subjects and most faithful ministers, who deny his title to the crown before his face, and argue against that right which they are bound by their offices and their oaths to defend.

IV. The worst cause in the world ought to have the worst managers; and those are fittest to censure other people's speeches that can't read their own.

V. A church must necessarily be in a safe and flourishing condition, when bishops explode its doctrines, and lawyers are forced to defend them.

VI. They that know nothing of the laws of the land, or act and plead in direct opposition to them, either are already attorneys and solicitor-generals, or ought to be made lord chief justices.

VII. Those are the most proper persons to accuse others of high crimes and misdemeanors, who, for their speeches in that very accusation, ought themselves to be hanged for high treason.

VIII. Ignorance, rudeness, impudence, dulness, blunders, and nonsense, are undoubted proofs of wit, learning, and good manners; and the grossest slander, lying and injustice, the bitterest railing, rage, and malice, are the truest signs of Christian charity, temper, and moderation.

IX. When a man is condemned and punished as a criminal, his friends ought to testify their concern by bonfires and illuminations.¹

X. It is the business of the sons of archbishops to impeach the church; of bishops to vote a clergyman guilty of high crimes and misdemeanors, for preaching those doctrines which Christ, and his apostles, and they themselves, have preached; of Scotch peers, to save a church-of-England divine from ruin; of presbyterians, to pull down meeting-houses; of governors, to discourage the principles of obedience; and of the mob, to rebel in defence of loyalty.

The true genuine Tory Address. To which is added, An Explanation of some hard Terms now in Use; for the Information of all such as read or subscribe Addresses. 1710.

The nation was now on flame, and the contending parties, as usual, expressed their sentiments in addresses to the crown. Those of the Tories were doubtless most acceptable, for many of them carried the doctrines of passive obedience and non-resistance to the most extravagant pitch, and all professed the most elevated loyalty to the crown. They are thus characterized by Godolphin:

"Addresses were put forward round the kingdom, made up of the grossest contradictions that were ever seen in print; but as before Sacheverell's trial, instructions were given to their clergy what doctrines they were to preach, in which their true sense and purpose was covered, as I have already shewn, so now there was a cue given, and some copies or patterns of addresses were sent down to the more dark and ignorant parts of the land, such as Wales, Somersetshire,

¹ The censure imposed on Sacheverell was so moderate, that his party solemnized it as a triumph.

&c. in which addresses there was a secret meaning, different from that which was exprest, and the poison of one part was concealed under the seeming fair professions of the other: But to countries more enlightened, where they could rely on the zeal and abilities of trusty friends for performing so great a service, they only transmitted some particular heads to work upon, such as hereditary right and the Hanover succession, two topicks that stand mighty well together! Primitive apostolical doctrines, and indulgence to tender consciences, a zeal for passive obedience, and detestation of resistance: A great rage against Deists, Socinians, and Republicans: A doating fondness for a new parliament."—OLDMIXON'S *History of England*, page 450.

Dread Sovereign,

IN this critical juncture of affairs, permit us, the most dutiful and most peaceable, as well as most numerous of your majesty's subjects, in the most humble manner to lay before you our good dispositions, and our best advices, as well with regard to your sacred person and government, as to our happy constitution, and the true interest of this church and nation.

It is with grief that we have observed of late a mighty zeal to appear for the Revolution, which we were in good hopes had been by this time forgotten. Nay, to such a pitch of open, barefaced impudence are some men arrived, that they have presumed, even under your majesty's mild reign, publickly to defend those principles and practices, which saved your sacred life from destruction, and the nation from ruin, and which are the whole foundation of our present establishment; and openly to confront those many excellent treatises that have been published (to the great benefit of our whole constitution and present establishment) in defence of absolute monarchy and unlimited non-resistance, and unalienable right. We therefore cannot but esteem this the most proper time to declare our zeal to be awakened into the utmost abhorrence of those republican antimonarchical principles, which alone preserved your royal person, and secured to us the unspeakable happiness of your government; and which alone can remove our fears of returning again to popery and slavery in time to come.

Your majesty has several times expressed a more than ordinary pungent sense of that wonderful out-cry which had been industriously raised, concerning the danger of the church of England under your gracious reign. We beg leave, as we have hitherto done, to consult the serenity of your royal mind, by continuing and increasing this moving cry, till such faithful sons and bright ornaments of the church, as we can confide in, are put into the highest offices. And, in the mean time, whilst this cry is working our will through the nation, if we be called to account, as offending against the voice of queen, lords, and commons, we can profess that we found it all upon that increase of blasphemy and profaneness, which threatens ruin to the presbyterian kirk of Scotland, and all the dissenting congregations here equally with the church of England. We humbly hope, therefore, that so deep and universal a concern as this, for our brethren's presbyterian churches, as well as our own, can give no just offence to your majesty, or any good Christian.

Our establishment, since the late Revolution, being founded upon the justice of the nation's having departed from the right line, and extinguished the title of many who might hereafter claim by virtue of a right merely hereditary; and fixed the succession in the protestant house of Hanover: In a deep sense of the oaths we have taken, and in order to make our zeal for that illustrious house manifest beyond all contradiction, we lay hold of the present season to declare our whole regard to be for your majesty's title, as far as it is hereditary, not knowing, nor being able to judge, how far it is so: But not doubting that this will be an unanswerable demonstration of our being the truest friends to your majesty, as it will ever remain a certain proof to the whole world

that we are entirely in the interest of that illustrious family, which is, unhappily, void of all pretence to an hereditary right.

Thus do we, according to your royal direction, contend with our brethren, who shall most effectually secure the protestant succession.

Your majesty recommends with the utmost earnestness an union of affection amongst your subjects. And indeed the circumstances of this nation, the importance of the war abroad, and the danger we are in from a powerful common enemy, might seem an irresistible motive to it. And so deeply are we touched with what seems most of all to affect the serenity of your royal mind, that in order to this, we are continually doing what we can to persuade all our fellow-subjects into one well-compacted body; that is, our own party. But if they will not yield to the most persuasive arguments of railery and abuses, we most humbly desire to be excused from all tendency to moderation; a word indeed, unhappily, used by your majesty from the throne, but of pernicious consequence to the interest of our church. And as we have begun with tumults and rebellions, so we shall go on by discontented addresses to contend, according to your royal desire, who shall most promote the practice of peace and love.

Your majesty has declared from the throne, that you will inviolably maintain the Toleration. We humbly wish that your majesty had made use of a word known to our law. We cannot, in our consciences, be for a toleration: No, we your faithful subjects are for an indulgence to consciences truly scrupulous: At least, we do not presume, publickly, to disapprove the legal impunity allowed to consciences truly tender. By which we, who are judges of other men's consciences, know what we mean, viz. to leave room for indulgence to whom we please; and to judge all protestant dissenters, according as we think fit, to be persons who have no consciences at all, and therefore to be without all title to this indulgence or impunity.

We know that your majesty hath with great earnestness assured us of your affectionate concern for the established church: And it is true that we have received some small pledges of it, a little revenue bestowed upon it, and an act passed in order to enrich it more. But we hope to live to see other proofs of it; and the interest of all Europe sacrificed to it, if need be. What will all these professions avail us, if the highest posts and trusts are filled with such enemies to the church, as, if we do not timely prevent it, will secure it too much against France and Rome; we therefore beg leave plainly to declare to your majesty, that we cannot think it safe, in our sense of the word, till the following points are gained, viz. till the general is dismissed, who is the idol of the confederacy abroad, and whose uncommon and unseasonable victories unluckily portend the ruin of that church which they preserve; till a treasurer is removed, whose conduct hath extinguished the credit of all France; till a ministry is displaced, under which every thing most honourable and most agreeable to your majesty, every thing most grievous and most disgusting to the common enemy, hath been unhappily effected; and especially, till a House of Commons is dissolved, which hath betrayed too much regard to the liberties of their country, and too much zeal against tyranny and oppression; a behaviour which we ever esteem pernicious to our ecclesiastical interest. These are sacrifices worthy of a sacred love to the church; and these are the marks of it, which we are now impatiently waiting for.

And we humbly hope that your majesty will pay the more ready regard to these our insinuations and importunities, even at the hazard of the publick peace at home, and of the confederacy abroad; because we have made such preparations for a new election, as can hardly fail us, and at the same time have given the most ample proofs of our great interest, and of the weakness of the opposite party. For what may not your majesty expect from us, who have been able to arm the people against those who stood up in defence of their rights and privileges; to induce English protestants to act in conjunction with papists; and to reconcile men to that unparalleled contradiction

of rebellion out of loyalty, and resisting out of zeal for non-resistance? And what can your majesty expect from another sort of men, so heartless and weak, that all our repeated provocations have not been able to stir them up to any one act of tumult and opposition? And how can the success of the experiment be doubted? By our riots and mobs we have raised the spirits of our friends, and struck terror into our enemies. By our addresses we have kept up that ferment which our riots raised. And now by our circular letters we are disposing the several counties of the land to the happy event.

And as we have thus, in every respect, shewed our ready compliance with all your majesty's pathological exhortations from the throne; as we have cultivated peace and quiet by encouraging, or conniving at, the most outrageous tumults, and mutual love and affection by the most endearing provocations and abuses; as we have manifested our unfeigned resolution to maintain the protestant succession, by our zeal for that hereditary right which cannot belong to it, and our concern for the common good, by doing every thing agreeable to the wishes of the common enemy; so your majesty may certainly depend upon it, that we will ever give the like convincing proofs of our sincere affection to your person and government. We will ever continue faithfully to support the constitution and the church, by reviling the Revolution, and railing at the Toleration. We will, to the last, defend your majesty's title to the crown, as far only as it is hereditary; and we will effectually keep out the Pretender, and all the popish line, by constantly adhering to those principles of unalienable right and unlimited non-resistance, by which they were at first excluded: Principles which, as we have shewed in the face of the whole world, sweeten the tempers and quiet the passions of those who profess them; and are peculiarly adapted to reconcile the affections of men to our perfect establishment.

By all therefore that is worthy of consideration, we most earnestly entreat your majesty's favour; by all the numberless obligations we have formerly laid upon you, by the great and unparalleled abilities and conduct of our friends, when they were once in the highest posts; by our quiet and peaceable deportment since they were removed; by the meekness of our tumults, and the good temper of our addresses; by our tender regard to consciences truly scrupulous, by our uncommon zeal for the hereditary right of the illustrious house of Hanover; by the moving cry of the church's danger, so agreeable a sound in your sacred ears; by our sincere promise to suppress all disorderly tumults, now they are over; and our unfeigned resolution to be very peaceable and submissive when we are uppermost; by the entire conformity of our practices to our professions; by the passiveness of our principles, and the activeness of our natures; by the little regard paid to your general, and the little confidence placed in your ministry by the allies abroad; by the particular seasonableness of the time, when your armies are in full heart, penetrating into the enemy's country; by the wishes of the common adversary abroad, who boasts of what we are now doing; and by the entreaties of all the papists and nonjurors at home, who are acting the same part with us, by the terrors we have struck into all our opponents, and the preparations we have made for a happy election: By every thing dear and sacred to us, we beseech your majesty to be directed by our infallible wisdom; to discard such a general, such a ministry, and such a House of Commons, as have given you so small proofs of their ability, or zeal, to serve the nation; and to enter entirely into a new scheme, which will prove so great a satisfaction to all your allies, and so deadly a blow to France, abroad; and will so effectually extinguish all the hopes of the Pretender's friends at home. This is the true meaning of all our zeal in addressing your majesty; and these are the united prayers of

Your majesty's most quiet, most peaceable, and most passively obedient subjects.

An Explanation of some hard Terms now in Use ; for the Information of all such as read or subscribe Addresses.

Antimonarchical Principles.] Such principles, in other words, as are absolutely necessary for defending our present constitution, and hindering it from being turned into an absolute monarchy ; and preventing the people's fondness for a neighbouring prince. *Monarchy* is a Greek word, and signifies the government of one single person by his own will and pleasure. *Anti* signifies against, or contrary to ; so that by antimonarchical principles are meant such principles as are against the absolute government of one person by mere will and pleasure, and without laws.

Antimonarchical Men.] These are a rebellious sort of men, who prefer the preservation of our government by queen, lords, and commons, before absolute monarchy ; and are for defending it against all, from the highest to the lowest, who would invade it, and turn it into an absolute monarchy.

Hereditary Right.] Is a right resulting from nearness of blood, and not from so low a principle as acts of parliament. It is thought much more divine and unquestionable than a parliamentary right. In other words, it is that right by which the popish line may claim to be restored, and by which the house of Hanover must necessarily be excluded.

Popish Doctrine.] Now used for a doctrine which keeps out popery, and is detested by papists. Note, the word popish is never of any true service to the church in the way of reproach, but when it is joined to the word republican, or presbyterian.

Republican Principles.] Much the same with antimonarchical ; but particularly revolution principles are meant by them ; such principles as defend the proceedings of the queen, the nation, and Prince of Orange, at the late Revolution.

Men of Republican Principles.] A sort of dangerous men, that have lately taken heart, and defended the Revolution that saved us, and the protestant succession as established upon that Revolution. Note, that, it not being adviseable to speak directly and openly against the Revolution, and protestant succession, it is thought fit to attack them under the covert of the words republican and hereditary right.

All friends are desired to take notice of the true intent of these few significant words.

The true, genuine modern Whig Address. To which is added, An Explanation of some hard Terms now in Use ; for the Information of all such as read or subscribe Addresses. 1710.

We have often had occasion to notice, that when a Tract of a peculiar title, or upon a new plan, came out upon one side, a similar reply was made by the opposite party. The "genuine Whig Address" is therefore the counterpart of the "genuine Tory Address." On this subject Roger Coke observes, "Some counter addresses there were from the Whigs ; but they were very much outdone by the other, who at first seemed not so fond of the protestant succession ; but finding at last it might be of no use, it was brought in by degrees. Pamphlets flew about like hail ; but the Tories managed so well, that the hawkers would not cry the Whig ones at last."—Coke's *Detection of the Court and State of England*, vol. III. page 382.

Dread Sovereign,

IN this critical juncture of affairs, permit us, the least dutiful, the least peaceable, as well as the most inconsiderable of your majesty's subjects, in this extraordinary manner, to lay before you the present necessity of preferring the private passions and prejudices, the exorbitant ambition and immoderate counsels of an handful of your subjects, to the true interest of your own person and government, the advice of your nobility, clergy and gentry, together with the voice of your people, seditiously combined to make your reign easy, and your nations happy.

It is with grief that we have observed of late a mighty zeal to appear for the monarchy which we have laboured so long to extinguish. Nay, to such a pitch of open barefaced impudence are some men arrived, that they have presumed, even under your majesty's mild reign, and in your gracious presence, publicly to asperse and condemn those principles and practices which brought your grand-father to the block, involved the nation in confusion, and overturned the very foundation of the established government in church and state, and have arrogantly dared openly to confront those many excellent treatises, that have been published so much to the edification of our youth, and to the benefit of our cause, in defence of arming against the sovereign, of limited allegiance, of alienable right, according to the will and discretion of the people, with the laws of God and the nation, the doctrine of our Saviour and his apostles, the opinions of our most holy and learned prelates and divines, as well as the most able lawyers in all ages and countries.

We therefore cannot but esteem this the most proper time to declare our zeal to be awakened into the utmost apprehensions of seeing such principles again prevail; which alone can secure your royal person from being called to account when we please, and disappoint the unspeakable profit which would accrue to us, by continuing you under the tyranny of a party, and which alone must inevitably throw us back to our first state of indigence and shame; for "naked we came into the world, and naked we should return."

Your majesty has several times expressed a more than ordinary sense of the outcries concerning the danger of the church. We humbly desire your majesty would be pleased to believe, notwithstanding the frequent declarations of our adversaries, that all those apprehensions have arisen from the efforts of our faction; that you are much more likely to be suspected of indifference in matters of religion than ourselves. To which we must crave leave to add this further reasonable request, That your majesty would look on the members of the church of England as atheists or papists; they being the only persons who have adventured to stem the present torrent of blasphemy, as they once stood single in their opposition to popery; whilst we seem so little concerned now, and at that time acted the part of confederates against them.

Our establishment, since the late Revolution, is founded upon the justice of the nation's having departed from the right line. This we affirm to be the foundation on which we stand. The justice of departing from right may indeed seem a paradox; but so hearty are we in observing your majesty's frequent recommendations of union, that we endeavour even to reconcile contradictions. And therefore it is, that in a deep sense of the oaths we have taken to be true to your majesty and your successors, and in order to make our zeal manifest, we lay hold of the present season to declare, That we have not the least regard to your majesty's title, as far as it is hereditary; nor to any right of descent of the crown, in failure of issue from your majesty, on the house of Hanover, as they are next in succession in the protestant line.

Thus do we, by shaking one great prop of the crown and of the protestant succession, earnestly contend with our brethren who shall most effectually support them.

Your majesty was once pleased from the throne very earnestly to recommend moderation; which we have seconded with all the art and industry of men sincerely af-

fect to peace and union, by persuading all who would be persuaded to be as moderate as possible, in their zeal to your majesty as subjects, and to their God and their Saviour as Christians, for fear of giving offence to weaker brethren. The surest way to prevent all animosities about religion, is so to settle the minds of men as to have none at all.

Your majesty was likewise pleased to declare from the throne, "That you would inviolably maintain the Toleration." The church-men, 'tis true, very readily agreed, and have ever supported such an indulgence to tender consciences, as the law has allowed: Nay, they have gone further; they have connived at our breach of this very law in a thousand instances, rather than be thought too nice, or inclinable to give disturbance. But this, we presume, is far from being sufficient; not a man of them will tolerate vice and immorality; not a man of them will tolerate prophaneness and blasphemy, sedition or rebellion: And till this is effected, how is it possible we should be all of one mind? And how can it be said to be a general toleration, where such material exceptions are taken?

We humbly hope that your majesty will pay the more ready regard to these our insinuations and importunities, at the hazard of your crown, and of the publick peace, because we have made such preparations to continue the present parliament, till we shall think fit to dissolve it ourselves, as nothing can disappoint but calling a new one at this juncture. For what can your majesty expect from these church-men, who daily and openly declare, that your majesty should be left a free agent on your throne; that you should yourself be delivered from oppression, who have so gloriously delivered mankind from it? What can they mean by this, but giving your majesty an unnecessary trouble of governing, which we, your faithful modern whigs, have so chearfully and readily preserved you from, without being weary of the burden to this day? What can they mean by insinuating that gentlemen ought to be distinguished by no other denomination but that of good subjects and good patriots? Is not this a positive exclusion of your faithful J——o? Or, that men of birth, fortune, and merit, should pay obedience where obedience is only due, and receive the reward of their services, without scandalous dependency? And what is this but an open a——k upon your m——y?

By all, therefore, that is worthy of consideration, we most earnestly entreat your majesty's favour. By the contempt which we shewed, and the many indignities which we offered to your person in the late reign; by our endeavours to disappoint your succession to the throne, or to render precarious and uneasy your seat in it; by our steady opposition to your majesty before we were taken into power; and by our arbitrary impositions upon you since; by the ill usage we gave your ministers when they were not our vassals; and by the adoration which we have paid them from the time they became so; by the confidence which we place in them, and by the distrust we shew of you; by our uncommon zeal for the illustrious house of Hanover, whilst we differed from your ministers; and by our infamous neglect of that family since we agreed with them; by the entire conformity of our practices to our professions; by our votes against any peace without the restitution of Spain, and by our absolute neglect of that part of the war; by our disgracing the Englishman who was victorious in that country, and supporting the Frenchman who has sold or lost it, as if success was criminal in all but one, and conquest was least valuable where it is most wanted; by that exemplary instance of love to our own poor, in sending for palatines to intercept that charity for want of which they starved; by making no use of victories, but to prolong the war, and to become terrible to your majesty, and to our fellow-subjects; by our pretences to moderation, and our exercise of tyranny; by that love which we affect of liberty, and that slavish submission which we require of all who serve us; by the clamours which we have raised in former times against violations of charters, against prosecutions or *innuendos*, and against convictions on forced constructions of law, and

by the corporations which we have in these times garbled; by the right of election which we have taken from so many thousands of our fellow-subjects; by our straining passionate expressions into high crimes, and common riots into high treason; by the particular seasonableness of the time, when we gave occasion to the present ferment, and by the dexterity which we shewed in reducing the friends of our old constitution to this dilemma, either of sitting tamely down under oppression, or of affording this colour to asperse them, that by their struggles for self-preservation at home they give encouragement to the common enemy abroad; by every thing dear and sacred to us, we beseech your majesty to be directed by our infallible wisdom, to resign the prerogative of peace and war to your general, the whole executive power at home to your treasurer, and to continue both yourself and them under the dominion of that J——o, whose rapacious avarice, and whose insensible ambition, have been the great occasion of all the disasters which have happened either in the last reign or in this; and have justly rendered them terrible to all those who pray for the peace of our Jerusalem.

This is the true meaning of all our applications to your majesty; and these are the united desires of your majesty's most greedy, most turbulent, and most rebelliously devoted humble servants.

An Explanation of some hard Terms now in Use; for the Information of all such as read or subscribe Addresses.

Revolution Principles.

Revolution comes from the Latin word *revolvere*, which signifies to turn about; so that by revolution principles are meant such principles as, under the specious pretence of justifying the last happy Revolution, prepare mankind for any, and allow of the same proceedings without the same necessity.

Republican Principles.

By these are meant such principles as did once subvert our constitution in church and state; such principles as murdered the grandfather, and are in the grand-daughter's reign at this time openly professed and encouraged.

Hereditary Right.

This right is owned by the church-men to be in the queen by lineal descent from her royal ancestors; together with that legal one which is derived from the acts of settlement. These Jacobites likewise allow that the same hereditary right, in case of her majesty's decease, and in default of heirs of her body, would have been in the house of Hanover, as next in succession in the protestant line, even without the last act for the further limitation of the crown to that illustrious family; they conceiving that all papists are by law for ever excluded from inheriting the imperial crown of these realms. The church-men tie themselves down to submission by two bands of allegiance: The modern whigs suffer themselves to be fastened but by one slip-knot, to be made or unmade as they see good.

Popish Doctrine of Resistance.

This doctrine is certainly popish as well as whiggish. It was first broached by the clergy of the church of Rome, to keep those princes in awe who grew uneasy at the usurpations of the papacy. "Whenever" (say the Jesuits) "the rights of the church are invaded, (which invasion depends on the pope and his junto to determine) subjects are bound in conscience to rebel." "Whenever" (say the modern whigs) "the origi-

WE, your majesty's most loyal and dutiful subjects, cannot at this juncture acquit ourselves to your majesty, and our own consciences, without openly declaring (which we here do in the most solemn manner) out utter detestation and abhorrence of that spirit of blasphemy and prophaneness, schism and sedition, which hath of late so insolently shewed itself in this land, and will so certainly bring down upon it God's severest vengeance, if not timely prevented by your majesty's great piety and wisdom.

When we with grief reflect, how your royal grand-father (whose goodness you inherit) yielded to the importunities of republicans and schismatics; till he became a martyr, and the loyalists, who adhered to him, a prey to the implacable malice of those enemies to monarchy; who, under the pretext of conscience and duty, learned first to separate his power from his person, and then soon destroyed both; continuing their hypocrisy to the end, in the mock-form of a trial, and pretence of law and judicature: And when we consider, how that horrid crime of regicide, while by some seriously commemorated and lamented, is by others extenuated, if not excused; and that the law yet in force for an anniversary humiliation is transgressed and ridiculed: How the very same antimonarchical tenets and positions, which brought on that sad catastrophe, are now revived, and openly and audaciously advanced and avowed: We cannot but with reason fear the like fatal effects to your sacred majesty, and this nation, if not timely prevented.

And as from the bottom of our hearts we most cheerfully recognise your majesty our hereditary and lawful sovereign, and sincerely profess ourselves members of the church of England, by law established, of which your majesty is not only an ornament, but also the defender, so we beg leave, at the same time, to assure your majesty, that we will, to the utmost of our power, support and assist your majesty against all attempts which may endanger your royal person or government, our most excellent church, or the protestant succession.

And, to that end, when your majesty shall, in your great wisdom, call a new parliament, we will be more careful than ever to chuse such representatives as are most zealously affected to your majesty, and the present establishment both in church and state.

And, in the mean time, we shall not fail to implore Almighty God, so to preserve and bless your majesty, that with courage and resolution, equal to the impending danger, you may put an early and effectual stop to these growing evils; and also pray, that, as your majesty hath been the renowned protector of distressed nations and people abroad, He, whose authority you have, and whose minister alone you are, may make you the happy instrument of freeing your own people from all just fear and apprehensions of having any illegal attempts made upon their most happy constitution in church or state here at home.

Kensington, June 1, 1710.

This day the following address was presented to her majesty by the Right Honourable Sir John Holland,¹ Baronet, comptroller of her majesty's household, and Ash Windham, Esq. knight of the shire for the county of Norfolk, accompanied by several gentlemen of the said county, and the city of Norwich; introduced by his Grace the Duke of Devonshire, lord steward of her majesty's household: Which address her majesty received very graciously; and all the gentlemen had the honour of kissing her majesty's hand.

A Low-Church or Whig Address.

To the Queen's Most Excellent Majesty.

The humble Address of the Deputy-lieutenants, Militia Officers, Gentlemen, and Others of the City of Norwich.

Most Gracious Sovereign,

It is with inexpressible concern we observe your reign made uneasy by mistaken and ill-designing persons, so industriously keeping up distinctions and divisions amongst your subjects, contrary to your majesty's repeated recommendations of union. It might, with great reason, have been expected, that the unparalleled wisdom and goodness, with which you exercise your government, would have composed your subjects into an universal acquiescence in your conduct; and that the ministry you have so wisely made choice of, and who have acquitted themselves with great prudence and fidelity to your majesty and their country, should not have been so invidiously struck at. The ill treatment your majesty, they, and your great council, meet with, we heartily lament, and desire that our detestation of this kind of behaviour may be recorded to posterity.

We are at a loss to account for the carriage of some persons, who, in notion, maintain an unlimited submission to be due to the worst of princes, and yet, in practice, discharge their obedience so imperfectly to the best; whilst, by unfair insinuations, they represent your majesty as wanting in your care of the church of England, notwithstanding the great bounty you have shewn to the clergy of it, the bright example you are in it, and your reiterated professions of your true concern for the same. But as the reverse of what we complain of, we declare our great satisfaction in your administration, and are persuaded the impartial world will join with us in doing justice to your majesty in that respect. We humbly assure your majesty (whom God long preserve) of our readiness, at all times, to defend your person and government against the Pretender, and all his open and secret abettors, and all other your enemies; and to main-

¹ Whom Swift, in his *Journal to Stella*, calls "an honest drunken tory."

tain the church of England, and the protestant succession in the illustrious house of Hanover; and that we shall, in every respect, demean ourselves as becomes good subjects to the best of princes.

We hope, that these approaches of your people to you, which should be an instance of their respect to your majesty, shall not be made use of to put difficulties upon you: But that all your subjects will continually study to make your reign easy, who have done all that a wise and good prince could do to make them so.

We beg leave to congratulate your majesty upon the successful opening of this campaign, and hope it presages an approaching peace, that will be glorious to your majesty in procuring it, and safe to your dominions, and the nations in alliance with you; and that peace may be established at home, as well as abroad, and thereby your majesty's full intentions for the happiness of your people, the better to be obtained, we shall, with utmost care, upon all occasions, cultivate a good accord with our fellow subjects, in testimony whereof, we most heartily and cheerfully hereunto subscribe,

Your majesty's most obedient, and most faithful

Subjects and servants.

July 30, 1710.

The following address from the county of Kent was this day presented to her majesty by Sir Thomas Palmer, Bart. and David Polhill, Esq. their representatives in parliament, attended by several of the most considerable gentlemen of the said county; introduced by the Right Honourable the Earl of Dorset and Middlesex: Which address her majesty received most graciously, and all the gentlemen had the honour of kissing her majesty's hand.

A Whig Address.

The humble Address of the Deputy-lieutenants, Justices of the Peace, Clergy, Gentlemen, and Freeholders of the County of Kent, assembled at the Assizes held at Maidstone the 25th day of July, 1710.

Most Gracious Sovereign,

WE, your majesty's most dutiful and loyal subjects, do humbly beg leave to congratulate your majesty upon the early and continued successes of this glorious campaign: And at the same time most gratefully to acknowledge the many blessings we daily enjoy under your majesty's happy administration. And it is with the utmost detestation we reflect upon those turbulent spirits, those fomenters of sedition, who even in your majesty's pious and exemplary reign would falsely insinuate, that the church, the most sacred part of our constitution, is in danger, notwithstanding the unparalleled victories with which God has blessed your majesty's arms abroad, under your most faithful and most successful general, and the wise administration of affairs at home, under a most prudent and well-chosen ministry.

But such is the ingratitude of these wicked and designing men ; such their inveteracy to the happy Revolution, and such their inconsistency, that though at present they think it for their purpose seemingly to approve of your majesty's being upon the throne, yet they stick not openly to revile and traduce, as odious and unjustifiable, the necessary means that were used in bringing about the happy event.

But may that Providence which has so peculiarly attended your majesty, throughout the whole course of your reign, still continue to protect and defend the best of queens.

And may our holy and apostolical church ever be secured against all her enemies, of what nature soever, whether popish or fanatical ; but more particularly against those vipers in her very bosom, who instil groundless fears, and prophane her sacred name, in using it only as a cloak to designs they do not as yet think proper openly to avow.

And as we do solemnly assure your majesty, that we are ready with our lives and fortunes to maintain your majesty's undoubted title to the crown, and to defend the church of England, as established by law, so we do not think it altogether unnecessary in this prevaricating age to declare, that we mean that title which is founded on the happy Revolution, and confirmed by the indisputable authority of parliament ; and by the church, we mean no other but our holy episcopal protestant church of England, established by the laws at the Reformation.

And we likewise beg leave to assure your majesty, that when this parliament (the memory of which must be ever dear to all who wish well to their country) has a determination, we shall do our utmost still to be represented by such as are zealously affected to your majesty's person and government, sincere promoters of the common interest, and such who shall endeavour to enable your majesty effectually to secure the protestant succession (for the good of our posterity) against the attempts of your majesty's avowed enemies abroad, and from the more dangerous perils of false and seditious brethren at home.

Signed by twenty-six deputy-lieutenants and fifty-two justices of the peace.

*To the Worshipful the Addressers, and more especially the Justices of the Peace, Mayors,
&c. of Counties and Corporations*

A Satire upon the Addresses of the High-Church Party.

The humble Address of the industrious Poor within your Worships several Districts,
that study to be quiet, and to do their own Business. 1710.

WE, her majesty's free-born and most obedient subjects, but your worships neglected vassals, being truly sensible of the blessings which even we daily enjoy in common with you, under her majesty's most auspicious government, the integrity of her councils, and the glory of her arms, cannot but be amazed (how little soever your regard may be to her late most seasonable admonitions from the throne) that your worships

should express so much less for yourselves, as to betray your deficiencies of common sense in the royal presence.

The factious, heretical, schismatical, antimonarchical, malicious, seditious, and scandalous books and pamphlets, your worships so sagaciously complain of, have, as well as addresses, too long abounded (your worships and your equally wise predecessors be thanked for it.) And as her majesty and our late glorious deliverer have, both by word and deed, constantly encouraged and recommended their suppression to your and their care, with astonishment we behold your worships aggravating your guilt to her majesty's face, by assuring her of a studied neglect of your duty.

We are sensible of our safety at home by the repeated successes of our arms abroad, and of Britain's freedom by the distress of France: We are as sensible of the due application of what your prudent legislators annually raise as the price of liberty, and that none of the necessities of life are taxed for the preservation of more than life itself, and could heartily wish your worships would (with greater reasons) have better notions of our common blessings, and be either at peace with yourselves, or at least exempt your fellow-subjects from bearing the burthen of your follies.

We accuse not your contrary conduct of foreign views or designs beyond the water; though we cannot but think, that it is from your worships in temporals, and your noisy partners in spirituals, that mistake (to say no worse) their own models of unlimited obedience and party zeal, for the Christian doctrines of legal submission and universal charity, and (like members of the true church militant) practise neither, that encouragement is given abroad, and our excellent constitution, both in church and state, is in danger.—Good your worships! let it not be always a reproach in our Israel, that Simon and Levi are brethren.

For our own parts, having declared ourselves to be of the numbers of the peaceable, it is for peace sake alone that we address you to compose yourselves: That your worships would, like her majesty's good and dutiful subjects the justices of the peace, mayors, &c. keep the peace yourselves (may it please ye) promote it in others, and punish the breaches of it in all; the excesses of ale and zeal to the contrary in any wise notwithstanding.

That by exerting the down weight and top measure of your sagacities, we may no longer labour to be abused, but have just weights and full measures in our markets, and that you would be pleased to keep in due repair the posts of your authority, for your own and the publick use: But in matters of superior government, let us beseech your worships to avoid prescribing; and let the seasonable neglect of your follies convince you of the lenity of that government, that studies the softest way to your amendment; beseeching you also, that the parliament may sit once more, to correct the disorders of your sessions.

Queries. 1710.

The formation of the tory ministry in 1710, was, as is usual, followed by a dissolution of the parliament, which was the more earnestly advised by Harley and St John, because the fermentation produced by Sacheverell's trial was like to procure a general return of high-church or tory members.

"Many simple whigs all this while fed themselves with vain hopes, that the present parliament would sit another session, but they were all dashed on the 21st of September, when they were dissolved by proclamation, and a new one called on the 26th, the writs to bear date on the 27th, and be returnable on the 25th of November. Before which dissolution, almost all the great whig officers and ministers of state resigned their places, viz. the Lord Somers, President of the Council, the Duke of Devonshire, Lord Stewart, the Lord Chancellor Cowper, Secretary Boyle, Earl of Orford, first Lord Commissioner of the Admiralty, and the Earl of Wharton, Lord Lieutenant of Ireland."—*Coke's Detection of the Court and State of England*, vol. iii. p. 387.

WHETHER any parliament ever did better than this has done, or better deserved to sit again? And if the French gave three hundred thousand pounds to have a parliament dissolved by King Charles, how much, by a modest and fair computation, may the breaking of this be worth? And if we may not justly hope for a supply of our want of specie, by what has been returned to our new counsellors upon that account?

Whether the same new counsellors did not intend to have a peace at any rate, when they ordered our ministers abroad to stop the French plenipotentiaries? And whether the French king was not too rash and secure, when he recalled his ministers so soon, before his friends here came out from behind the curtain, and had it in their power to give him what terms he pleased?

Whether the same new counsellors were not hard put to it, when, after all their endeavours for an ill peace, they were forced to let a memorial go over to the States, approving their resolution to carry on the war? And whether we are not in a happy condition to be under the influence and direction of such persons as dare not own any one design they have?

Whether any thing could be more proper and seasonable than the late memorial from the States, in which they represented, in a most decent and affectionate manner, the absolute necessity of continuing the present parliament? And whether this could be justly said by the new counsellors to be meddling in her majesty's domestick affairs, when it was known to be a matter on which the whole alliance depended, as well as the security of the protestant succession, for which the States themselves are guaranties?

Whether the letter from the emperor upon the same subject was not still less liable to exception, if that be possible? Whether he had not as much right to intercede for the meeting of this parliament, as her majesty had to interpose, which she frequently has done without complaint, in the affairs of his people and empire? And whether the regard that was paid to him and his minister upon this occasion was such as is due to the chief of our great confederacy?

Whether the same new counsellors are not extremely in the right to keep all such memorials and letters as long as they can from the council? And whether in any thing they have more fully shewn their great parts and forecast, than in preventing the de-

¹ This alludes to the breach of the treaty at Gertruydenburg, which the whigs imputed to the French, and the Tories to the Dutch.

² "The queen's allies, particularly the emperor and the states-general, could not but be alarmed at the advices they received from England; and being apprehensive that the Duke of Marlborough would either be removed, or so disgusted as to lay down his command, Count Gallas, the imperial ambassador, and Mr Vryberg, the Dutch envoy, were directed in a most respectful manner to represent to the queen what ill influence the changing of the ministry might have on affairs abroad. Count Gallas was told he might assure the emperor, 'That whatever changes the queen designed to make, she had resolved to continue the Duke of Marlborough in his employment, and desired that Prince Eugene, and the other imperial generals and plenipotentiaries, might act with him, with the same confidence as before.' The answer given to Mr Vryberg was favourable enough, imputing their interposition to a zeal for the common cause; but the Harleians made a terrible noise at the presumption of the Dutch, in offering to intermeddle with the queen's domestick affairs."—*Oldmixon's History of England*, p. 450.

bates that might have arisen there upon such frivolous subjects as the preservation of this parliament, of this nation, and of all Europe?

Whether assurances were not given to the States and the other allies, That no more changes should be made in the ministry after the removal of the E. of S. at which they were justly alarmed? Whether the late lord treasurer may not be said to have been a minister? And whether the new counsellors, that turned him out, had a due regard to her m——'s honour, and to her character in foreign courts?

Whether any instance was ever known till now of a treasurer being removed without the least fault pretended; who in all the time of this expensive war has by wonderful ability and reputation kept down the interest of money to six per cent. and who in the management of above forty millions is not suspected by his enemies to have diverted one penny to his own private use; nor to have got one farthing by the disposal of offices, or any other exercise of power or favour, in all the course of his ministry?

Whether experience in business, or ability in parliament, recommended the majority of the new commission? Whether a certain person might not as well have sat there alone, if he had dared to succeed so great a predecessor? And whether whigs or tories will best like the commission?

Whether it is not certain now that our general will also be laid aside? Whether we are not likely to fall after that an immediate sacrifice of France? And whether it is not already high time for these new counsellors to recall him, whose actions each year have exceeded the hopes of his friends; and who has constantly provoked the displeasure of his enemies, by performing the business of two campaigns in one? which is the only proof they can give of his desire to prolong the war!

Whether the rest of those great and able men, who yet remain in the offices of business, will not likewise be very soon removed? Whether any people before were ever so unhappy to lose in a few months the service of all their best friends? And whether another set of men can be found in the nation, that are in any degree equal to the late ministers for honour, fortune, reputation, all manner of qualifications for their several employments, and unalterable love of their country?

Whether the comparison that is now writing of these new counsellors with the late ministers will not be a most instructive piece of history? Whether they will not force people at last to write impartially their whole lives and characters, which of all satires would be the sharpest? And whether any thing could have been more seasonable than the reprinting a certain book, which was written soon after the assassination-plot by a person whose name is Smith, and which is now coming out again with a very large appendix?

Whether any thing is so justly feared in this nation as popery? And whether it is not as likely to be brought in by an Italian courtesan as ever it was by a French mistress?

Whether it is possible that any one creature of these new counsellors should be chosen by true Britons to serve in the next parliament, when in every Paris gazette we find a recommendation of them? And whether the new commission is not a sufficient reward to our wise high-church-men, for their great care and pains in sending their fool about the country to influence the next elections?

Whether the new ambassador to Hanover is not chosen with great discretion, and will not be extremely acceptable to that court; who, to pass over all other parts of his character, has, at the age of threescore, renounced his old principles and friends, and is setting up in his own country hereditary-right-men, in order to secure the protestant succession?

Whether the late action in Spain, performed by Mr S——pe, will not bring him ere long into great trouble and mortification? Whether it was not a most imprudent

thing in him to gain a victory, after the example that has been set before his eyes? Whether, in all probability, his successor will not speedily be named? And whether fame says true, that my Lord N——th and G——ey will be the man? Or who?

Whether the new commissioners could have sat two days in the treasury, if they had been supported by the late ministers, who pressed all their friends to supply the necessities of the war, and all the foreign ministers to prevent the breaking of our alliance? Whether any people before were ever in so deplorable circumstances, to be obliged, for the immediate preservation of the whole, to support such persons as they know are brought in for their destruction? And whether the new counsellors, with all their settled assurance, can have the boldness to pretend, that the government at this time is carried on by them?

Whether there ever was a character of more heroick virtue and publick spirit, than the late ministers maintain; who being disgraced and reviled, and loaded with all manner of reproaches, and with ungrateful returns for true and faithful services, have yet the courage, constancy, and merit, to persevere in their honest endeavours for preventing the nation's ruin, and preserving the common cause?

Whether, after all these endeavours of the late ministers, we shall not lose the good effects of this great and glorious war? Whether human nature is able to bear this reflection? Whether a new or old parliament can come time enough to retrieve the despondency of our allies, or the misfortunes into which the new counsellors have plunged us? And whether they will not be equally liable in either to be called to answer for the confusion they have brought upon us, notwithstanding our continued success abroad, and our flourishing credit at home?

A Speech made in the House of Commons, upon the late Ministry's forcing a new Charter upon the Town of Bewdly, in the County of Worcester, without a Surrender of the old. 1710.

Mr Speaker,

I DID not intend to have troubled you this session, and I believe it will be to little purpose now: For if a gentleman stands up to complain of grievances, although this house meets in order to redress them, he is represented as a person that obstructs her majesty's business; if he finds fault with the ministry, he is said to reflect upon the queen; if he speaks against the continuance of the war, to prevent the beggary of the nation, to prevent the monied and military men becoming lords of us who have the lands, then he is to be no object of her majesty's favour and encouragement. This, sir, is the pass we are brought to, and this is the freedom of speech you are pleased to ask for at the opening of this session, and which of right belongs to every member of this house. I remember the time, when such restraints as these would not have been suffered or endured; but we are under arbitrary ministerial power; and if ever there was an instance of it, it is in this that is now before us: But how great soever the discouragements are to freedom of speech, I think myself obliged, as an English gentleman, who never will comply with an arbitrary ministry; as a member of this house, who has been always zealous to support the constitution of parliaments; as a neighbour to this borough in the case now before us; to speak my mind with that warmth I used to do, when the liberties of my country, or any part of it, seem to be touched. For though the injury may be felt by one single man, or one single society of men, yet the ter-

ror, the concern, and the consequence of it, reaches unto all. We have had a fact this day of dangerous tendency laid before us, of a new charter forced upon an ancient corporation, at the single instance of a noble lord, without a surrender of the old, contrary to law, to reason, and the rights of the members thereof; which they refused to accept, as being inconsistent with their former charter of King James I. and, as they conceived, void in itself, since it is impossible for two charters, any more than two grants, or two leases, to have a being at the same time. Ever since the Revolution, every thing has been transacted in this corporation pursuant to the charter of James I. the right of the bailiff and burgesses affirmed by judgment in the Queen's Bench, until this new corporation was erected by this unprecedented charter, which the old was so far from consenting should pass, that they opposed it, by entering caveats in all the offices, and by shewing that it was contrary to her majesty's intention expressed in the warrant.

Thus, Mr Speaker, have you seen the prerogative enlarged and extended farther, I will be bold to say, than it was the unhappy reign before the Revolution. Every gentleman remembers how highly things of this nature were resented in King James's time, when court arts were used to wheedle and terrify boroughs into a surrender of their charters, and when they found that method would not do, they endeavoured to take them away under colour of legal process, by bringing *quo warrantos* against them: This was then thought dangerous to the constitution; and very well it might, for the people of England could expect no other fruit from such a proceeding, but that this house would be filled with men of the army, with men of desperate and broken fortunes, with pensioners, with vassals of the court, with slaves of the ministry, and with all those servile sort of gentlemen that can give with one hand to receive with the other, and thereby betray those they represent to arbitrary power: But this instance now before us is more new and dangerous than taking away charters by surrender or *quo warrantos*; those methods made some noise, alarmed the free people of England, and you see what became of it. But this is a quicker, a more silent method of doing it, which, like white powder, destroys the liberty of the people, and subverts the constitution of this house, without noise or notice. I beg, gentlemen, you would consider all the circumstances with which the charter was attended, and I am sure you can't reflect upon them without grief. First, as to the time: You have heard, sir, how the great seal of England was affixed to this charter upon the twenty-second of April, 1708, the very same day there was an order made in council to issue out writs for calling this parliament; in this critical juncture was this corporation erected, I will not scruple saying, to serve the arbitrary designs of those who are afraid of a free election, who are afraid of a free and uninfluenced parliament: Such a parliament would scorn to flatter great men, would enquire into miscarriages, and punish such as are faulty; would call those ministers to account who should prevail with the queen to turn men of ability and consideration out of place and employment, for acting upon principles of honour and conscience, and doing their duty in this house. Another evil consequence with which this charter is attended is, that so many new electors and a new returning officer are created by it, to the infringement of the liberty of the subject, and making all elections, in a manner, depend upon the will of the prince. I hope, gentlemen, you will seriously consider this matter, that you will lay aside all thoughts of party in this cause; for if it be in the power of the crown to dissolve old corporations and erect new, in so exorbitant a manner, we may bid adieu to liberty and property, and to all that has cost us so much blood and treasure to maintain and defend; there will be no difference then between a parliament of Great Britain and a parliament of Paris.

I hope, once more, gentlemen, you will seriously consider how much the honour and justice of this house are concerned in the determination of the case now before you: The eyes of the people have been for some time opened; they will observe, they will

judge of our votings in this case, and do expect from us, as we have put a stop to unjust and exorbitant power abroad, that we should neither suffer nor endure it at home.

The Thoughts of an Honest Tory, upon the present Proceedings of that Party: In a Letter to a Friend in Town. 1710.

The title of an "Honest Tory" is here assumed by a crafty whig essayist, from the motives which sometimes induce vessels to hang out false colours. The approaching triumph of the tory party called forth, of course, all the energies of their opponents; and under this forged character the author runs rapidly through the causes of the change of Queen Anne's measures and ministers, and attacks them in succession, from the sermon of Sacheverell to the addresses of his favourers.

You know, my friend, that I take a great deal of pleasure in communicating my thoughts to you, especially when they are such as lie heavy upon my mind. I cannot forbear giving myself this relief, and you are always so kind as to esteem it the part of friendship to bear with me in it. I need not tell you, that my sentiments, in matters relating both to church and state, have been ever conformable to your own. The same fears, the same hopes, the same joys, the same sorrows, have been hitherto entertained by us both. But I know not how it is; I cannot by any means enter into the measures of your last letter, nor by any means receive that satisfaction from some appearances, which you seem to have received. Whether it be that your closer conversation with some persons of refined politicks in town hath a little altered your soul from that regard to right and just, which seemed once inflexibly to possess it; or that the quiet and composure of my country seat gives me more leisure and inclination to melancholy reflections; or what the reason is, I am not able to say.

The day is our own, you tell me; "we are just now coming into play again. The credit of the ministry is gone: The reputation of the whigs sunk to nothing: There are those who have satisfied her majesty, that we are her true friends; that the House of Commons must be dissolved; a total alteration made;" and the like. How this would once have rejoiced my heart I need not tell you. But I confess a walk or two in my garden, and a thought or two upon the matter, hath made me at present entertain but too melancholy apprehensions concerning this piece of news. If you will give me leave to speak my mind freely, as I used to do, I will own to you that I am quite sick at the review of the methods our friends have used to gain this happy prospect, and at the consequences which at this time present themselves to my thoughts. Honour obtained by dishonourable means must end in dishonour: And honour obtained by shaking the publick happiness is only a more visible disgrace. These are my maxims which recur perpetually to my mind at this time.

A little patience might have made way for our friends, without that load of infamy which must now stick to our cause, till it hath eaten into it, and consumed it. You and others, I find, fondly imagine, that the late trial, and our management upon it, have laid the foundation of our reign. But I fear, my friend, that when the whole

matter comes to be sedately considered, both the trial, our management, and the man who was the occasion of all, will hang like a mill-stone about the neck of our cause, till it is sunk lower than ever it hath yet been. I know several considerate persons in our parts, who were a little wavering before, now entirely confirmed that the tories care not if the affairs of Europe be entirely confounded, so their personal ends be answered; and that no methods are too bad for them to encourage and make use of. And between friends, a little more of the like management cannot but alienate myself from a cause which I have hitherto been heartily engaged in. You know, that though I am for the church, I am for religion too; and though I join with the tories, yet I took oaths with a sincere design of being faithful to them; and therefore you will not wonder, if I look with grief upon some proceedings.

What defence shall we make for raising a mob upon the fore-mentioned occasion, wherever we could? It cannot be palliated, it cannot be denied. To cast it now upon the other party, is only adding to the wickedness: And to do it as some of our friends do, even whilst themselves are boasting of having the mob against the whigs, is too gross and bare-faced a contradiction. I have, to my grief, heard several glorying in it; and I am myself witness, that no care was on our side taken to suppress it; but a great deal to hinder the punishment of any who were concerned in it. If ever there can be such a thing as rebellion against queen, lords, and commons, this may justly be so accounted. And this is our glory, which ought to be our shame! What shall we say to the insults made upon the sentence passed, by bonfires, illuminations, riotous assemblies, encouraged or connived at amongst us universally? When it is asked, are these the men who are crying out upon others as the promoters of rebellion? Are these the passive, the submissive disciples of the cross? What shall be answered to the adversaries? You know what my opinion hath always been of the other side; but I must own that my reading will not furnish me with a parallel; nor can I say that they have ever, upon so slight an occasion (a man judicially called to account) shewn so turbulent and seditious a spirit. And put the case that at this time they had been as ready to return injuries as others to offer them, and as desirous of fomenting disturbances, as we have usually thought them; what must have been the event, but something terrible and bloody? Something which I cannot, without horror, think of? But it seems our methods, which I used to think open, honest, and generous, must now be wholly altered. Nothing is bad, so it be for a good end: Nothing to be balked that can serve a purpose. Nor hath our great management stopt at these tumults and insults upon the whole legislature, by which we have shewn our valour to our constitution. If all the proselytes we have gained, and all the ignorant men and women we have spirited up for us on this occasion, by lies and calumnies, by personal undeserved praises and undeserved abuses, were taken away, I fear the remainder would be very inconsiderable. The man who is now, it seems, made our champion, we both agree is not more hated by one side, than he is heartily despised by the other. For my own part I have heard such a character of him, that I never desire to have to do with him. Our friends, indeed, pay him as they would do a fiddler, that plays the tune that is called for; and helps forward a country-dance; and they seem inwardly to value him as much as they do such a one. You know in the House of Commons they did not think fit to say one word in his behalf; or in the behalf of his sermon. In the House of Lords, it was pleaded by them that the sermon was incoherent nonsense, and he that could preach it little better than mad; and this was thought the best that it was proper to say for him. All the world knows he was not to be trusted with the management of his own cause, or with any thing but the speaking such words as were put into his mouth. And yet to this man we must wisely tack our fortunes. The church-of-England, nay, the whole church of Christ, Christianity itself must be made dependent upon his fate. His pictures, his cause, must be made our tools. Who

would not envy us such honourable instruments? He is now, I hear, in his progress, propagating his gospel, making his triumphant entries into our cities, receiving the obsequious homage of adoring crowds, and dispensing his blessings amongst them. I suppose quickly we shall have a map of our apostle's travels, as there are of the others; and proposals for setting up his statues in all market-places, and his picture in all parish-churches. Hath he not a friend left in the world to recall him for his own sake? Or, hath not our party one left to stop his career, before he grows too ridiculous, even to be a tool any longer? And is all our argument and reason dwindled into this? Have we nothing to say for ourselves but by such a mouth, and such a prevailing figure? In my conscience I think it a season for us to mourn, instead of rejoicing, if this be so. The man himself will sink us in time.

And then, what shall we say of that numerous train of lies and calumnies, which our agents, with applause, scatter abroad through the whole country; especially a news-writer, J. D——r, whom, however some may think of him, I cannot but esteem the greatest infamy belonging to our party. Justice is due to all men. You may remember what a barefaced lie he told us about Dr West's sermon on the 30th of January: What representation he hath made of matters since, which we knew to be otherwise; and just now (what toucheth my temper as tenderly as any thing) he hath been insulting Mr Dolben's death, to make God's hand in a particular manner upon him; and confidently attributed that to him, which I since know, from those who attended him on his death-bed, to be a notorious falsehood. Numberless are the instances of this nature; So many of late, that I had a suspicion these six months, that the whigs give him a pension to ruin us, under pretence of serving us, by his scandalous lies and calumnies.

Our addresses, I own, make as deep an impression of melancholy upon my mind. Shall I, because I differ from men in other things, presently go and represent to her majesty, and insinuate that they are republicans, whom I know in my conscience to be otherwise; that they are not churchmen, whom I know to be so; or that they have designs, which I cannot prove ever to have entered into their heads? and shall I so far forget myself, as to declare that right to be the best right, which I myself have abjured for the future? All the posts and offices, in all the kingdoms of this world, are not worthy of one such instance of foul-play. I cannot forbear doing justice to all, and acting the part of a generous enemy as well as an honest man. I asked one great man, who brought me an address to sign, whether he could name one single person of any remark among the whigs, who desires our present constitution may be changed into a republick; whether as great friends as any we have had not openly owned passive obedience to be a limited duty; whether that which we ourselves own to be true, should be made matter of reproach to others; whether our cause could not be better supported without lies and calumnies, and the like. I found he could name no such republican; and as for the doctrine of non-resistance, he frankly owned between friends, that he believed all were of a mind about it, and that none would practise it in cases of extremity. He added, that by hereditary right he for his part meant no more than hereditary right according to that act which excludes papists, and consequently destroys hereditary right; but that these terms would serve as well as any in the world to break another interest, and to keep up a distinction where there was no difference. I could not forbear answering him, that I detested popish principles, and detested republican principles: But at this time found my detestation to rise higher against those false friends, who were now bringing an indelible disgrace upon a good cause, by jesuitical and diabolical methods. He seemed to pity my honesty, and so took leave. As soon as he was gone, good God! thought I, to what a height shall we come at last, and where will such proceedings end? Our cause may be carried indeed for the present by such methods, but what cause can long subsist by them? If we could not

hold it, when we came regularly, and by the voluntary favour of our princess, into the posts and trusts of the nation; how shall we be able to hold it, when we come to them under a burthen of such infamy and dishonour, as will one day or other appear in due light to the generality of the nation?

And, my friend, the circumstance of time should methinks strike some little concern into every British heart. Think to what a crisis things are coming abroad; the great affair of peace now on foot; a general fighting our battles, in whom the allies have an entire confidence; the summer almost half spent; the Pretender watching the lucky opportunity: At home, think of a nation of men, mutually provoking and provoked by one another; hardly, at best, abstaining at this time from open quarrels. Is this a time for such a total alteration, as must shake the confidence of friends and inspire the enemy with hopes? Is this the season for an entire change of hands, when publick credit must be sunk into nothing; before the rest of Europe can have time to know whom they are to depend upon, and the people at home whom they are to trust? Is this a day for a new general, or to disgust the old, when he is happily in the favour of all abroad, and in the midst of the execution of glorious projects: Or is this a time for a new choice of a House of Commons, when such an opportunity is more likely than ever to be improved by our common enemies into a civil war amongst ourselves? I should upon other terms have been as glad as any man of such alterations; but not upon the hard terms of hazarding a total ruin of us altogether; of endangering the whole confederacy; of forcing upon Europe a dishonourable peace, and of laying open ourselves to the greatest heats and quarrels. As much as I have ever opposed the whigs, and as heartily as I have ever espoused another interest, I profess I would not, for all the world, be the man who should at this time bring about so terrible and hazardous alterations: Which can hardly, without a miracle, be unattended with the most fatal consequences both abroad and at home. Abroad, we cannot ourselves deny it, the diffidence and distrust upon an entire change here must be as great as, we know, the confidence and security to be at present: And so the sole end of a twenty-years war all at once disappointed, even when it is come within view of a conclusion. At home, such threatnings have been given out, and such insults made, that I dread to think, lest the field of election should become a field of battle. This however I cannot help foreboding, that if there be any one happy consequence of such changes at this time, it must be to the common enemy; if any miserable, it must be to our native country.

Alas! Whither are we running so hastily? And what is the spirit which we have been raising? We see the beginnings of these things; but we see not the end. Would it not make a man of sober sense heart-sick to hear what is vented (by means of our encouragement, and our protection forsooth) from those pulpits in which our friends do so superabundantly at this time triumph? The young man, just come from the university; and the old man, that hath been long in the world; (those I mean that are of our party) agree in making them too often places of liberty, how much soever they are against liberty in others. Nothing hardly now to be heard of from them, but the superiority of the crown to every thing, except the church; the independency of church and churchmen upon the state; the royal and divine dignity of the priesthood; the entire dependence of us poor laity upon their absolutions and benedictions; not without frequent hints concerning the restitution of church-lands; and open declarations, that any notice taken by the civil power of what they think fit to deliver from the pulpit, is downright persecution and usurpation. "Behold I am with you to the end of the world. As my Father sent me, so send I you. A royal priesthood. Shall perish in the gain-saying of Corah. Ask for the old paths. They that resist, &c." These and the like passages of scripture, distorted from their original design, furnish them with plentiful matter for magnifying themselves and their office, as well as for preaching up the slavery of all others. And as one madness of the people draws on another,

so who knows what may be the consequence of so many fine harangues? Some, I find, are come already to talk of the catholick church of England, which is the old popish blunder of a universal particular church. What they may come to next I cannot divine. We have opened our preachers mouths, and who shall shut them we know not. We have taught them to cry out against all judicial notice, as heinous wickedness and diabolical invasion: And now it shall be lawful for them to vent any thing! The more bold, the more like a minister of God, who is to answer at another tribunal, for the abuse of his office, and not to earthly judges! If they are so weak as to think, that we desire and long for their dominion any more than the whigs, they are as much mistaken as ever men were. But if we still go on to encourage such a spirit in them, and such extravagant flights, as it may be too hard in time to restrain, I know who are the fools. We may flatter ourselves, they are doing our work, but it is manifest they are doing their own. We imagine them our tools, but, I fear, the tools may come to be too hard for the workmen.

You have here my free thoughts. I have this peculiarity in my temper, that I am more affected and angry at the vices and evil practices of my own party than of the contrary; and think myself more obliged to declare against them. And I cannot but think there never was such ground as there is at this time. We used to complain of the methods and arts of the whigs; and we are now combating them with more infamous weapons, than they ever in my memory used against us. We are lamenting the profaneness of others: What greater profaneness is there than to be wicked for the church? We are crying out upon hypocrisy: What greater hypocrisy is there than to make an extravagant noise about obedience, the cloak for turbulency? And, what seems a fate upon us, our wit is dwindled with our honesty, and our sense hath forsaken us together with our plain-dealing. I know not how it is with you in London, but in the country, I profess to you, I can hardly meet with any one thing writ on our side, but what is either inhumanly dull, or inhumanly abusive; what is enough to make either the man very sick, or the Christian very melancholy. Whether it be that the chief light of our cause is at present carried in a dark lantern, or that our new heads are resolved to keep all their deep sense within their own unsearchable breasts; or that it is thought best to adapt every thing to the capacity of watermen, porters, carmen, and plowmen, leaving gentlemen and men of common sense to shift for themselves; or that we in the country are permitted to have nothing but what some whig-booksellers in town will let us: This I can assure you, that I can meet with nothing to put into the hands of a sensible whig-neighbour who visits me, but what makes him think us insipidly mad, and what sets him ten times more against us than he was before. The last paper I sent him, he this morning returned, with this note in the blank leaf, "God be thanked, I have now lived to see the party-writings of the tories as void of wit as I ever thought their case to be of reason." I desire, if you have any thing new that may serve to take off this reproach, you would immediately send it down to me. But of all things, I entreat you, let me have nothing that bears any relation to the author of Timothy and Philatheus, who, I hear, hath been dabbling again. For a wag is my aversion; and, with me, want of decency is always want of sense. His first work gave me disgust enough; and I confess my amazement is hardly yet diminished, that Christians and divines, who expunged, as I have been informed, so much of his obscenity, profaneness, and folly, could still leave so much behind; especially when they had Martial's easy rule before them, *Una litura potest*: "There are a sort of writings not to be corrected but by one long black stroke of the pen."

Indeed, we have hardly one writer on our side, as I see, but the weight of a numerous company of scribblers, void of sense and good-manners, sparing neither dead nor living, insulting the one beyond example, and abusing the other beyond patience. If any of us condescend to argue, we are forced to acknowledge the truth of the main

! Did this "Honest Tory" never hear of one Dr Jonathan Swift?

whig principles, as hath been now done in the face of the whole world. And yet the next news we hear of from our quarter, is obedience without reserves, and I know not what monsters of equal wickedness and nonsense. When we are forced to explain ourselves upon absolute non-resistance, or hereditary right, we have the absurdity to own, that by absolute non-resistance we mean a non-resistance which is not absolute; and that by hereditary right, we mean the same with the whigs parliamentary right. And yet we have the conscience to raise the spirits of the poor people against them, by the deceitful use of these words, and by clamours about a difference, where we cannot maintain any. If this don't do, why then we have a farther fetch, viz. to tax them with secret intents against our church and monarchy; contrary to all the rules, I will not say of Christianity (for it seems to be forgotten that we are Christians) but of heathen justice, or Mahometan honesty. In one word, our champion, our addresses, our writers, our methods, are all of a piece. I will undertake that, at a lucky conjuncture of circumstances, the best set of principles and of men, that ever yet appeared, might be run down, and exploded for a time, by the like persons and the like means. But remember again what I have said to you, "They that make use of them will at length be sunk by them."

Before I ease you of this trouble I will add a word or two. Our friends are grown very fond of fast-days. But their thoughts, I find, always turn upon the sins of others. Why should we not for once call to mind our own? And instead of humbling ourselves for the madness of lunatics, or the folly of those whom nobody regards, and few so much as knew of, before we, out of our Christian compassion, disclosed the infernal scene; instead of this, I say, why should we not publicly repent in dust and ashes for that scene of villainy and scandal, which is working on our side, and which I cannot say we desire so much as to seem to discourage. And for the time to come, let us dare to be honest; if we think fit to enter the lists, let us combat our neighbours upon equal terms, and not to be so dishonourable as to fight them with weapons that make an over-match for all that have any degree of love to their country, or of modesty, or of humanity, left. I am, &c.

Postscript.

"I have just now received the impartial account of the proceedings in the last sessions, &c. and have considered it enough to tell you, that I am still more confirmed in what I have been lamenting. The very title-page is knavery; and the conclusion as plainly points to a Second Restoration, as any one could well dare to do, before it comes to pass. The tenderness expressed, page 11, to papists and nonjurors, as if it was unreasonable to look upon them as enemies ready to disturb our government, hath an appearance in it shocking to every honest man who hath taken the oaths; and the ridiculous contradiction of boasting of the zeal of the mob, against those whom our friends have nick-named Republicans, and yet attempting to throw the scandal of the tumults upon those very persons who are so nick-named, will remain upon record, as great a testimony of understanding as the former is of honesty. I am told we are indebted to a celebrated patron of our cause for this account. If this be true, so much the worse; so much the greater load of scandal upon us. I pass by a multitude of other points, which, I am sorry to say, are utterly unjustifiable. Integrity and honour seem to be entirely forgotten. God help a cause that is supported by such methods! Adieu."

The real author of the treatise may have been De Foe, who was personally attached to Harley, and about this time was very active in recommending a system of accommodation between the leading parties in the state.

Your thoughts and mine agree in so many things, that I could please myself to think that there were a possibility of reconciling whigs and tories, if there were to be found, among your party, men of such moderate sentiments as you have expressed through your whole letter; but,

Timeo Danaos, et Dona ferentes;

your concessions are so large in our favour, that you give me cause to suspect you have only assumed the name of a tory, but are indeed a crafty whig at the bottom; however, I am willing to incline to the charitable side, and had rather submit to the delusion, than omit so fair an occasion to own my belief, that there are honest men in both parties; and to endeavour to convince the honest whigs, as well as the honest tories, that the difference of their opinions, in relation to religion and civil government, is not so great as they are made to believe; and that they might easily be brought to agree in preserving the publick tranquillity, if there were not designing men in both parties, who have each in their turns artfully contrived to keep open the breach, and ventilate the heats and animosities of ignorant people; that by the strength of their respective factions they may be enabled to promote their own sinister designs, which generally have been to engross the places and profits of the government into their own hands, to raise vast estates to themselves by purloining all they can from the publick, and to establish such an interest as may always support them from being called to account for their mismanagements.

I can think of no way that is more likely to create a right understanding between us, than by an impartial enquiry into the original cause and spring of our destructive feuds and divisions, which is primarily the affecting a greater power than our constitution admits on the part of the crown; and the endeavouring to maintain the ancient rights and privileges of the nation, on the part of the people: But there is a second cause, hitherto less observed by the writers on this subject, which has, as it were by a natural course, led us into these contests; and that is, the mighty alteration that has happened in the property of the lands, and consequently in the constituent strength and power of the government, since the reign of King Henry the Seventh.

For, as in ancient times the peers of this kingdom were possessed of vast tracts of land (some of them perhaps equal to whole counties) they had, by virtue of their tenures, the power of sheriffs in the civil administration, and the power of lord lieutenant in the military, whereby they did for many ages hold the balance of the government, and were able to defend their own and the people's rights, and check the exorbitant power of such of our kings as have at any time attempted to usurp upon them. A very large proportion also of the lands of the nation was, in those times, annexed to the crown, together with all the military services dependent thereon; and then the possessions of the abbeys and monasteries made likewise another considerable tenure of lands.

But we have seen, that in the course of one century, since the forementioned reign, this vast allotment of property (which perhaps amounted to no less than three quarter parts of the whole lands of the kingdom) was quite alienated and sold off from the former powerful possessors, and divided into the hands of a numerous gentry and commonalty, who (for the most part) by making their purchases in smaller portions, and by the

subdivisions that have been since made, neglected the military services that were annexed to the tenures; (which have been since quite abolished) and by this means the mediate power, which the former great proprietors of lands exercised over at least seven-eight parts of the militia in the kingdom, coming to fall, the crown took to the immediate administration of the whole; which great assumption of power seems likely to have been the prevailing argument with the false politicians of King Charles the First's time, to put that prince (contrary to the goodness of his own natural inclination) on some arbitrary methods of government, upon a presumption, that now the strength of the lords was broken, there was no power left in the kingdom able to dispute or oppose the royal will and pleasure in any thing; and the parliament of 41 were doubtless very apprehensive of the danger that threatened the constitution from this increase of power on the crown side, and therefore endeavoured to have the militia settled by act of parliament, in such a way that it might not be made use of to destroy the people's liberties; and the king's utterly refusing to consent to this, seems to be the principal point that occasioned that fatal war between him and his parliament.

If that king had found himself in the possession of all the ancient crown lands, together with the military strength annexed to them, he might have been enabled to raise and maintain such an army out of his own lands, as would have been strong enough to subjugate the nation; because the balancing power which had been fixed in the peers was utterly broken, and the people had now no visible standard to resort to for the defence of their liberties: But as the natural power, inherent to the lands, was now also fallen away from the crown, it soon became visible, that the effectual strength of a limited monarchy is inseparably united to the property of the lands and riches of the nation; for though the king, with the assistance of such of the nobility and gentry as voluntarily joined with him (many of them rather with an intent to assist him to come to good terms, than really to enable him to vanquish the parliament, and withal their own liberties) carried on the war with some vigour at first; yet having no fund of his own, either of treasure or strength, the single authority of his prerogative proved but an artificial and precarious power, unable long to hold out against the real and natural power of property, which was now so largely vested in the people, that when they had found the way to put their affairs into a method, and came to feel their own strength, they were able to bear down all before them; though it is probable that this maxim in politicks had never been considered by the king's advisers, till they came to be convinced by this unhappy experiment.

'Tis at this period then that I would place the beginning of those unhappy divisions, which, from the same original cause, and by the same evil arts and factious disposition, though distinguished by different names of mutual reproach and different circumstances, hath continued even to this time miserably to distract the publick affairs, and obstruct the tranquillity of our dear country.

It is neither in my inclination nor purpose, to vindicate any of those many ill things that were acted in the prosecution of that civil war; but since my Lord Clarendon himself fairly acknowledges, That that prince was misled into many mistakes in the conduct of his government, we may modestly say, that it was the proper business of the parliament to insist upon a thorough reformation of all that had been done amiss, and to obtain such laws as might effectually secure the liberties and properties of the people from the like invasions for the future: If the king, at first, adhered to the advice of those who dissuaded him from giving such satisfaction to his parliament as he would have yielded to at last; and if he was persuaded to decide the dispute by the sword, and to begin it by displaying his standard of war against his people; what could then remain for them to chuse, but either to give up for ever all their rights and liberties, and to submit themselves and their posterity to be governed by the will and plea-

sure of all their future kings ; or to resolve to defend their ancient laws and privileges to the utmost, and to oppose force with force ?

There is, doubtless, a true distinction to be made between a rebellion and a civil war ; the first is notorious, when subjects take up arms against lawful governors lawfully governing ; but when a prince violates the established laws of the nation, raises taxes by his own authority, contrary to the known rules of the constitution, invades the liberties of his subjects by illegal imprisonments, unjust prosecutions, and other grievous oppressions, and persists in such arbitrary acts of government for a course of years ; if a people can find no other means to preserve their most valuable interests, but by having recourse to the last remedy, and shall take up arms to compel such a prince to restore their rights and reform his ill government, 'tis evident, from the histories of the civil wars of France and other countries, that grave and impartial historians have not thought fit to treat this way of opposing the unlawful usurpation of princes, with the odious name of rebellion ; and it is observed, that our parliaments have had the caution, that in the acts passed after the Restoration, in relation to the preceding war between the king and parliament, they would never give it the name of a Rebellion, doubtless out of the consideration that it behoved them to keep up the sanction of the parliamentary authority, and that that war was authorized by a legal parliament, who had a right to vindicate the liberty of the nation.

The names of reproach, which passed in those times, were Cavalier for those who sided with the king, and Roundheads for such as took part with the parliament : Now if the intention of the latter were no other than to bring the evil counsellors to condign punishment, to prevail with the king to comply in a just settlement of their civil and religious liberties, and then to restore him to the regal state under such limitations as might secure them from any future invasions of their rights and privileges (and this, I believe, was the general design of those who took up arms at first) I see no reason why those Roundheads should lie under a harder censure for what they acted at that time, than may be imputed to ourselves for what we have done in the late happy Revolution, for the rescuing our laws and religion from the violations of the late King James.

Hitherto you will say I have argued like a whig, but I shall soon shew you that I am not inclined to be partial. When this very reforming party had reduced the forces of the king, and it was in their power to have put a good end to the war, they fell into factions and divisions among themselves, and many of those that had eminently distinguished themselves, and gained the applause of the people, entered into designs to advance their own grandeur ; the great officers of the army formed cabals in the House of Commons, who by their strength and interest violated the rights of parliament, by imprisoning several of their fellow-members without just cause, and excluded such as opposed their sinister designs, without filling the house with new elections ; so that they became no true representative of the people, and carried on all their extravagant actions afterwards by a small number of their own faction : In short, when the king was at last brought to yield to such terms as might have settled the nation in peace, they rejected all manner of accommodation with him, hurried him to the block, usurped the regal power, kept up the army to support their own tyranny, oppressed the people with illegal exactions, and ruled the three nations by the sword ; and if those who stile the whole a rebellion had but distinguished between the commencement of the civil war, and the time when these actions were perpetrated, I should be content to allow them that term, or even a worse if they could invent it.

And thus, after our fathers had spent their blood and treasure to rescue their ancient rights and privileges from the invasions of a misguided but legal king, they were cheated out of all by the chiefs of their own side, who made it evident to the world,

that their hypocritical zeal for religion, and their specious pretences for civil liberty, were made use of as artifices to delude the simple people, and make them their willing tools whereby to accomplish their own ambitious designs; and I have the rather gone so far backwards to bring in this instance of the deceits of these men, because it is my intent to shew that from the beginning of our contests to this very time, the zeal and affections of the people have always been kept up by both parties with fair and specious pretensions of publick good, till the heads and leaders of either side could get themselves into the saddle, and then they have driven on their own interests, and left the poor people to shift for themselves, till they should have further occasion to make use of their credulity.

To proceed then with my observations in what manner the frame of our government is varied from the ancient constitution, and to shew what mischievous inconveniences have been introduced thereby; as I have already noted that the ancient possessions allotted for the support of the dignity of the crown were alienated; so now after the Restoration (mostly) there was a necessity to find out some other ways of raising money to enlarge the small revenue that remained, so as it might enable the king to live honourably, and to maintain the charge of the civil and military lists: The customs on merchandize were much advanced, great duties of excise, together with that of hearth-money, were given, and these new ways of taxing the people required a multitude of officers for the collection, and many profitable places for men of quality, all in the gift of the crown, and consequently a means of engaging abundance of creatures and dependants upon it.

It may be asserted for a truth (though it has been contested by some) that the representatives of the people (or House of Commons) did in ours, and in all right Gothic governments, make a constituent part of the assembly of the states (or parliament) though it be certain that in old times they bore a much lesser figure than now, and were much at the devotion of the great lords; but as their power decreased, that of the commons grew, and (as is said before) their larger share of property has naturally devolved the balance of the government upon them, and their authority is much increased since the crown is brought to have so great a dependence upon them for its support; but as the commons were formerly wont to be elected, and to sit and vote with freedom, having nothing more in view than to serve their country faithfully, now our kings came to apply their utmost endeavours to influence elections, and then to gain as many members as they could into their interests, by giving them honours, profitable places, and pensions: So that our parliaments have since come to be divided into the court and country factions, by which means the crown has acquired a new sort of power that has sometimes proved more dangerous to our constitution than its former power, which (as I have shewn) was founded upon property, because a sufficient balance was provided to check the excess of that; whereas this introduces a corruption into our very constitution, and it appears a matter of the utmost difficulty to provide a sufficient remedy against it.

I must not omit also to observe, that in the times of popery the great preferments of the church depending upon the pope, the clergy were then as zealous as the temporality in defending the liberties of the people against the usurpations of the crown; but when, in the reign of Henry the Eighth, the parliament abolished this foreign jurisdiction, and placed the power of conferring the dignities of the church in the king, this laid the foundation for men of aspiring tempers, since the Reformation, to strain their inventions to form such schemes of divinity as might render them acceptable to the court, and become a means to advance them to deaneries and bishopricks; and thus they came to wrest the holy scriptures, and to pervert the pure and uncontroverted doctrines of Christianity, to maintain falsities and absurdities, to flatter princes with an opinion that God had placed them in a sphere above all human laws, and that

they were accountable to him alone for their male-administrations; to teach the people that they are bound by the precepts of the gospel to pay an unlimited passive obedience to princes in all possible cases; and that themselves may not want a fair share in these heavenly privileges, they would make us believe that they are *Jure Divino* God's peculiar heritage in a distinct superiority to the laity, and that their order is exempted from any dependency upon the state, &c. But I shall leave the examination of these opinions to another place, my intent at present being only to shew, that as the clergy are dispersed over the whole kingdom, and have great influence upon the people, they have deluded multitudes of unthinking men into these false notions of government, and almost persuaded them out of their own birth-right; and have ruined more than one king by misleading them into the actual practice of arbitrary rule, from a confidence that these principles would support them in it: And in this manner they are become another additional power to the crown with a mischief, for it has operated but like a sword in the hands of a madman, to his own destruction.

By what has been said then you will see that the essential powers of our constitution are very much changed, and it is from thence that the first occasion of all our national contentions spring; while on the one hand the crown is struggling to supply the loss of its natural strength by arbitrary or artificial innovations; and the people on the other hand are contending to preserve their ancient rights and privileges, when in the mean time both are made a prey to the ambition and avarice of self-seeking men: And we must always expect to be subject to the breakings-out of this old sore, until some good patriots shall be so happy as to find out such a temperament as may make the crown easy and the people secure; wherein, as it will always be the true interest of the latter to keep to the ancient constitution as near as possible in preserving the lustre and salutary authority of the crown, so on the other side it will be more for the ease and safety of the prince to soften any such powers of the prerogative, as may tend to keep up fears and jealousies in the subjects, and which indeed are more apt to be made use of by favourites and evil ministers to promote their own grandeur and private gain, than to contribute any real advantage to the crown.

After the Restoration, the nation run into an excess of loyalty, and (except the violent persecution of the poor dissenters) things went on smoothly for several years, the generality of the people not much concerning themselves in the contests between the court and country parties in the House of Commons, until after the discovery of the popish plot, which alarmed the whole kingdom, and then all sorts of protestants thought themselves equally concerned to oppose the impending danger; the court itself was forced for a time to give way to the current, until they had formed new intrigues to sham the popish plot, and turn it upon the presbyterians; too many of the clergy came into this scheme, and by theirs and the court influence many of the gentry and common people were drawn off from their late indignation against papists, and taught to believe that the presbyterians (not excepting the other dissenters) were a more dangerous people; and as great numbers of the more considerate people of all ranks, who had always adhered to the established church, joined with the dissenters in the common apprehension of the danger of popery, and in their mutual jealousy of the intrigues of the court; all these (who made at that time the much greater party) were by the others reproached with the appellation of Whigs, which was a name that had been formerly put upon the Scotch presbyterians; so they on the other side called their adversaries Tories, which originally denoted the wild Irish papists: And thus began these opprobrious distinctions, which with sometimes more, sometimes less warmth, have divided this poor nation, and kept up feuds and animosities between the unhappy people for more than thirty years.

It may be very material also to observe to you, that as these names of distinction are taken from words signifying parties differing in their religious sentiments, the world

has been led into, and still persists in a mistake, as if the one sort were altogether dissenters, and the other included all that were true church-of-England-men, whereas there has always been a great number of the whig party, even of the clergy as well as the laity, who are as zealous for the episcopal church government as the tories themselves; so that they are indeed more truly to be accounted factions in the state than in the church: Nor can we have a more just idea of the real difference between them, than that in the beginning the whigs considered that the Duke of York was a papist, and gave life and strength to that party; that if he should live to inherit the crown, our religion and liberties would be in the utmost danger; that he had great influence over the king his brother; that such ministers were employed in the administration of the government as were in his interest, and who were evidently inclined to arbitrary measures; they every where used their utmost diligence in the elections of magistrates for corporations, and members for parliament, to chuse such as they believed to be zealous for the good of the publick, and would oppose the designs of the court in any thing that might tend to the prejudice of the people in their religious or civil rights; they foresaw and endeavoured to prevent the many mischiefs that have since fallen upon us, so that all men of candour must confess that they were then true patriots, and had espoused the best cause: On the other hand, the tories applauded the Duke of York, and promoted his interest all they could; they contended for such elections as should be entirely devoted to the court; the magistrates of that side oppressed the whigs with vexatious prosecutions, violently persecuted those that were dissenters, and went so far as, by packed juries and strained laws, to destroy some of the best men in the kingdom; in short, that generation of tories gave themselves up to fulfil the will and pleasure of the court in every thing that lay in their power; and, by what we have since seen come to pass, it is evident that they engaged on the wrong side, and were made the very instruments to bring about those evil designs of the Duke of York and the papists, which broke out upon the nation in the next reign: I will not yet doubt but that many honest well-meaning men, zealous for the monarchy and the church, were imposed upon by the leaders of that party, (who were all the while playing their own game at court preferments) and deluded into a groundless jealousy, that the dissenters were aiming at the destruction of both.

When the late King James succeeded to the crown, the tories deafened him with the noise of their addresses from all parts of the kingdom, stuffed with expressions of the most extravagant loyalty and unlimited passive obedience and non-resistance, professing them to be even principles of their religion, and the very characteristic of their church; and, after the suppression of the rebellion of the unfortunate Duke of Monmouth, to compleat the enslaving of the nation (and themselves withal) they furnished him with a formidable standing army; and thus provided, he soon discovered his long-projected scheme, and fell on amain to establish popery and arbitrary power.

It was by his influence (when the Duke of York) that the violent persecutions were carried on against the dissenters, and the chief instruments were known to be his creatures and partizans; this hard usage had begotten in the dissenters the utmost animosity against the persecuting churchmen; and now he changes the scene, and, in an instance so plausible, breaks through all the laws to gratify them (and the papists withal) with a declaration for liberty of conscience, pretending also that it had always been his own principle; the charters of corporations are taken away, and (by the dispensing power) dissenters are made magistrates, to revenge themselves upon the churchmen; and thus protestants were to maul one another, that popery might slide in with the less noise and resentment; papists are brought into the king's privy council, then into the universities, and ecclesiastical commissions executed, to deprive such of their incumbencies as opposed these illegal innovations; protestants are turned out, and papists brought into the army and magistracy in Ireland, and so that whole king-

dom put into their hands; popish chapels are set up, and mass publicly celebrated in the city of London; papists made officers in the English army; and at last an army of five thousand papists brought over from Ireland.

At length the flattering addressers and adorners of James the Just have their eyes opened to see how near popery and tyranny was approached to their own dwellings; now they begin to stir themselves, seven bishops (to their great honour be it remembered, though they had been all of the high side) took the courage to petition the king, for which they were sent to the Tower, the whole party were frightened out of their passive obedience and non-resistance doctrine (I mean in that undistinguished sense that many of them had preached it) they entered into a confederacy (otherwise called a plot) to invite the Prince of Orange to come over with an army (not to resist or compel, you will say, but with prayers and tears, or some way or other) to bring King James to reason, and re-establish the religion, laws, and liberties of the nation on a secure foundation; now they courted the whigs (who were forward enough to join with them, it having always been their principle to endeavour to reform what was amiss in the government) and professed their readiness to come to a temper for the ease of tender consciences; and thus, when they themselves came to feel the weight of the power which they had been so many years raising up, they saw their error before it was quite too late, and both parties heartily joined to bring about the late happy Revolution; though, to their honour, it must be acknowledged, that for almost the whole merit of the contrivance, and the larger share of the success, we stood indebted to the tories.

But as soon as the Convention Parliament came to declare King James abdicated, the throne vacant, and to settle the crown upon King William and Queen Mary, behold! The tory spirit returns upon many of them again,

Naturam expellas furca licet usque recurret;

they struggled to set up a new sort of government, a regency over a king that was a grown man, a thing that our laws never knew (probably they had a mind to be regents themselves.) Surely if the people have power so far as to unking their king, and leave him nothing but the bare name, they used their authority much better in making a new king, and keeping to the constitution: But those of them who refused to swear to the new king and queen (in that yet much honest men than those that took the oaths and remained enemies to the government) how could they have better kept their oaths and maintained their allegiance to King James, if they had set up a regency over him? However, I must still own that the wiser and better part of those that had been called tories became true converts, came into the government, and I doubt not (though they may have sometimes contended about other matters) but that they have been hearty in its support ever since.

And now the factions are at peace for a time, and the general expectation was, that some, at least, of the many that had been the advisers and instruments of King James's male-administration would have been punished for an example to deter others from the like attempts; and that laws should be made to settle the government on such a foundation that it might not be in the power of any future king to endanger the rights of the nation: For the first, it seemed as if King James alone in his own person had done all the mischief, for not one man could be found whom they thought worthy to be prosecuted: The other point, for fencing the constitution against any future invasions of the crown, was slightly passed over with only a bill of rights, which was no more than a bare recognition of such privileges as were well known to be the people's due before; but no provision was then made for frequent parliaments, for punishing the delinquency of ministers of state, or for purging the House of Commons from the dead weight of court officers and dependants; on the contrary, it was now become the lan-

guage of whigs, that we must not make the king a doge of Venice (though nobody thought of any such extreme) nor make the crown uneasy for him to wear, &c. The truth is, that many of the leaders of the whig party run into the court for preferments, and were very well content to sit down with a mixture of Tories to teach them their business, and that heaven soon proved strong enough to leaven the whole lump.

At the beginning of this government the whigs had the ascendant, but in a little time the Tories got strength, and the king was persuaded to change the militia and the justices in their favour; however, the former prevailing in the House of Commons, worked out the latter again, and (with a few of the complying Tories) kept in the administration till the latter end of this reign; but we were soon convinced, by woeful experience that, like the Roundheads in the Oliverian time, they were no sooner got into power, but their former zeal for the publick turned all into words and professions, when in deeds they greedily pursued their own private interests, and fell on the readiest ways to enrich themselves at the nation's cost, prostituting their principle to their profit: It is true indeed (what they said for themselves) that whiggism does not oblige us to stand always in opposition to the court when they manage every thing well; but these men were so tender of displeasing, and so devoted to ingratiate themselves with the court for places and advancement, that they came into all the wrong measures that were taken in that reign.

It has been found by experience that the most natural way of exerting the power of this island in time of war has been by our naval expeditions, wherein we are certainly capable of being superior to any of our neighbours; but (unhappily for us) King William's genius inclining more to land armies, we were drawn in by degrees, from the moderate quota which was agreed to at the beginning of the war, to maintain so great an army beyond sea, that the nation was drained of not less than two millions of its treasure for several successive years, whilst in the meantime we fell into so scandalous a management of our sea affairs, that our coasts were insulted, our fleet beaten, and our merchants ruined by the depredations of the enemies privateers. We did indeed at length gain a considerable advantage over the French fleet, and burnt several of their best ships at La Hogue, and, if that victory had been closely pursued, there appeared the utmost probability of destroying the rest; but it seemed as if some people had no mind to break the naval power of France at once; for the admiral returned immediately into port, and though he was forthwith ordered out again, to attempt those ships that had saved themselves at St. Malo, he made so many frivolous delays that the enemy gained time to fortify themselves so well that nothing could then be done; and being accused in parliament for his mismanagement in that whole affair, his friends the whigs were strong enough to bring him off, with a vote of thanks from the House of Commons into the bargain: But any one that will be at the pains to examine the minutes of the House of Lords upon that accusation, will find great reason to suspect, that there was either treachery in the case, or at least so apparent a deficiency in conduct, that such a person ought never more to have been entrusted with the command of the royal navy; and yet even after this, he had the good fortune to continue in that weighty employment till he had gained a vast estate; and had interest enough to obtain a privy seal for the passing his accounts, after he had been accused by an honest commissioner of the victualling for having defrauded the publick of great sums. But to return to the whig administration.

The war created a vast receipt in the treasury, and we have seen what mighty estates have been since raised by many of those through whose hands the publick money has passed; never was the nation engaged in so great an expence, never so loose a management; the publick run into debt, and the people that trusted it paid with distant tallies, which crept up from 10 to 20, 30, 40, 50 per cent. discount, for which, to be sure, the government must pay in proportion for what they bought; great pre-

miums given for the borrowing of ready money; the coin of the kingdom spoiled through the supine neglect (if not connivance in some) of those who had the direction of the publick receipts; private advantages made of the publick money; accomptants suffered to lie behind in their accounts, to the loss and defrauding of the publick; misapplication of taxes, and no care taken for the discovery or prevention of these abuses. It had been the part of a provident and careful ministry, when they had found, by two or three years progress of the war, at what expence it might be supported, to have sought out effectual means to raise annual supplies sufficient to carry on the war without involving the nation in debt; but these took up with mean projects for raising money, and gave divers insufficient funds; it was enough with them to give in name the sum required, and they had no more to care for, than to add the deficiency to the next year's sum total, and then as deficiently to supply it; from which improvidence (if not artifice) arose so many distant tallies, and the depreciating of the publick credit, whereby the nation lost some millions, which the tally-jobbers and the money-mongers (not excluding the skilful ministers and their friends) got among them; and they had so little regard to provide for the future, that the annual revenues of the excise, customs, &c. were made funds of appropriation to pay high interest for millions taken up every year for the service of the war, till, by a continuando after this evil precedent, the kingdom is become plunged into an immense debt, to be worked off by a prolongation of heavy taxes on us and our posterity for a long tract of years to come; and we are at length so far exhausted, that it will be impossible for us to sustain the war much longer in this way; when yet we have the mortification to reflect, that all this mischief might have been prevented by an honest and prudent management at first; for it is plain that five millions per ann. would have defrayed the whole expence of the government from the beginning, and kept us clear of debt; and though we have been brought by degrees to raise a fixed annual revenue, which (with the land and malt-tax) amounts to more than that sum, yet the better half thereof must now be applied to pay taxes to our fellow-subjects for interest-money and annuities, and we are to seek for above two millions per ann. more, to support the war. But the worst is yet to come; that detestable art of poisoning our constitution, by corrupting the members of the House of Commons with gifts, places, and preferments, was practised by them with as much application, and as successfully, as it had ever been in the tory times; what sums of money have been employed in that way is hard to discover, but the turning out and bringing into places, according as members behaved themselves in their votes, was notorious to all the world, and twenty expectants were kept in awe for one vacant place, those that missed it at last being still kept in hopes that their turn would come next; from whence it came to pass that, for several years together, a great majority of the House of Commons were led and governed at the pleasure of the ministry, and voted unanimously in whatever they directed; the miscarriages of men in great trusts, the wrong methods of managing the war, the misapplying the publick money, exorbitant grants to favourites, and that scandalous squandering away of the Irish forfeitures to the value of near a million, which was afterwards recovered by an act of resumption; all these destructive enormities, which it was the business of parliaments to enquire into and see redressed, were suffered to go on without controul. But what will fix a perpetual mark of infamy on the heads of that whig ministry is, that (being under apprehensions that they should be laid by after the peace) they were the men who entered into a compact with King William, that if he would keep them and their friends in his ministry, they would use their interest in the House of Commons to procure him a standing army of twenty thousand men; and though in this worse than tory attempt, the wise and honest men of their party deserted them,

and they could not carry their point, yet they struggled hard to keep up as many of the army as possible, and dispersed pamphlets to persuade the silly people among their own party, that forces kept up from year to year by consent of parliament, were not to be accounted a standing army, and that the great number of forces continued by the French king, and I know not what other circumstances, made it absolutely necessary for a time; nay, they have insulted since the short duration of the peace, and would have it thought they were in the right, and that none but King William's enemies were for disbanding the army: But all this is odious language from the mouth of a whig, with whom it should be a maxim never to be departed from, not to trust the crown with any such overbalance of power as can enable it to endanger the liberties of the nation; the narrow escape we had so lately made, might have been a sufficient argument against ever suffering a standing army for the future; and is it not evident to a demonstration, that when the crown is in the possession of a more immediate power over the militia than ever our ancient constitution admitted, and shall withal have a regular army at its command, that then the people will have nothing at all left for their defence, but must entirely depend upon the mere goodness of the prince, and the honesty of his ministers, for the enjoyment of their right? And though it be acknowledged that we had nothing to fear from King William, yet it is never good policy to create such precedents; and what future king will think himself kindly used, if a parliament should refuse to trust him with the same confidence? If then, to allow them their most plausible argument, it had been judged requisite to have kept up an army for some time, I am sure that when I was first a whig, we should have accounted it abominable torryism to have entrusted the entire disposal of them to any king whatsoever, and that at least the money raised to maintain them should have been put under the direction of parliamentary commissioners:

But our court whigs were by this time grown so very tender of the prerogative, that they shewed little regard for securing the properties of the people: Many millions have been advanced upon the funds of the appropriated revenues, but still the receipts and payments are to pass through the old course of the Exchequer. What if ever hereafter a king should arise, that would not think himself safe without a standing army? We don't say that our kings may not by their own authority raise as many forces as they can maintain, but the balance against the power is, that they cannot support them without parliamentary aids; but what if such a king should (according to a former precedent) stop the payments of the Exchequer? He would certainly find means enough to maintain a good army, but the subjects would find themselves in a poor condition to dispute with him for their rights and properties: Could any courtier have maintained an argument against the reasonableness of constituting trustees by authority of parliament, for the receiving in, and distribution of these revenues, which were now become the purchased property of the people? Or can we imagine that the king would have scrupled the gratifying the publick with such a security at that time of day? What then can we say or think of the wisdom or honesty of those whig ministers, who, to render themselves grateful to the court, and that they might make their own fortunes, betrayed the nation into so loose and precarious a condition, as well in regard to their liberties as to their estates.

But we have yet another piece of cunning to remark in this ministry: The House of Commons began to fall into the consideration that it was fit for them to appoint inspectors into the publick managements; and accordingly they proceeded to constitute commissioners for examining the publick accounts, for stating the accounts of the army, and for enquiring into the Irish forfeitures, &c. But these crafty ministers started a notion that it would be dishonourable and unbecoming parliament-men to erect new places of profit for themselves, and so after a while they persuaded the house to exclude their own members from being nominated to those employments, well foresee-

ing that this would be the likeliest way to bring them into a neglect of those scrutinies, when they were like to get nothing for themselves; but the mystery was, that if the parliament should come into this right way of husbanding the national business, it might not only discover and destroy the profitable juggling of the court managers, but if a competent number of good employments should once come into the annual disposal of the House of Commons, to reward their most useful and deserving members, many would come to be drawn off from their dependence upon the court, when they might expect a quicker advancement by exerting their fidelity to the national interest in the house: But if this provident care had been exercised so far by the parliament, as that they had from the beginning appointed commissioners of their own to inspect the true musters of the army, and to have overseen the payment of the armies, fleet, and all other disbursements relating to the war, I leave it to any thinking man to consider, whether the nation might not have saved many millions in the expence, and have made much greater efforts in the prosecution of the war. I know well that the prerogative whigs have been ready to object against such an interposition of the parliament in the executive part of the government, as an encroachment upon the prerogative of the crown; and though I am as far as themselves from desiring to alter the true methods of the administration, yet as the raising of such vast taxes yearly upon the people, and such a way of managing war, were things wholly unknown and unprovided for by our ancestors, I can see no just reason, since now the people bear the whole expence, why their representatives should not think it their duty to constitute stewards of their own, to see their money well husbanded; nor yet are we without former precedents of our parliaments having named commissioners to manage the taxes they have given.

The project of Exchequer bills was serviceable to the government at that time, though the circulation was contrived in such a way that the nation paid dear for it; all which might have been saved by raising one half million in ready money at first, which might have maintained the circulating cash from time to time, but then themselves and their friends, who had always the preference of subscribing what they pleased (and 'tis believed that much of it was supplied with the publick money) would have lost the opportunity of getting many thousand pounds. The keeping up the fees of the exchequer, when the multiplied taxes created so vast a receipt, nay the taking fees for that very money that was brought in to be recoined, was an unreasonable improvidence to the publick, however very gainful to the officers. Moreover, their selling of places, neglecting many deserving men of their own party (and even the extraordinary Mr Johnson) that had been sufferers in the late reigns, never offering to take off the sacramental test when it was in their power, *cum multis aliis*, were peccadillios in comparison with their greater faults. After all, it must be said in their commendation, that they were always hearty in the supporting King William's government, but without that they were ever for doing it in such ways as they might be sure to get most by it.

Thus these ministers, and their mercenary or misguided party in the House of Commons, became as entirely devoted to the court as the tories formerly had been (with this laudable distinction however, that the latter sacrificed our liberties and all, but the former only our purses) and were in their actions really turned tories, though they still affected to be counted as good whigs as ever; and generally the well-meaning people of that side, throughout the nation, not seeing into their misdeeds, nor distinguishing between the name and the thing, continued their good opinion of them; and it was nauseous to see how their creatures and emissaries laboured in coffee-houses, and publick conversation, to give favourable turns to every thing they did, hide their faults, and keep up their reputation with the party; and though this has been the common artifice of both sides to delude their followers, and engage them heartily to espouse their interests, yet things will always speak themselves, and we have seen and felt the many mischiefs that have been brought upon the nation, and know under whose conduct

affairs have been managed when we have been made to suffer by either faction in their turns; both have taken care to provide well for themselves, but the tories better for their friends than the whigs.

The tories had lain under a long mortification to see their adversaries rule the roast and themselves kept out, and this, as it is natural for men in affliction, gave them occasion to consider the misfortune of a nation when the publick affairs are unfaithfully managed; many of them, who in their younger years had been seduced by the leaders of that faction in the House of Commons, to engage in their wrong measures, were grown older and wiser, and, like those we called enlightened cavaliers, saw their former mistakes, and espoused the country interest; if some did it in policy to make themselves popular, I will not doubt but others did it upon principle; however, the nation was served by both, and we have cause to rejoice in it, as the apostle did when Christ was preached out of contention; and thus the tories themselves became whigs in practice, may they never repent the change! Divers also of the old staunch whigs kept steady to their principle, and formed what we called the Flying Squadron, giving from the courtiers on such occasions when they saw the publick good neglected; and it is well known how industrious the party were to calumniate, vilify, and render odious the Harleys, the Foleys, &c. who were accounted the principals in this (as they reckoned it) defection, of whom it may be truly said, they have borne the reproach of many; however, they may be worthily esteemed the instruments of much good to the nation in their joining with (those that were still called) the tory party, to stop the career of those corrupted whigs, whereby many a hundred thousand pound came to be saved to the publick, the forfeited estates of Ireland were reclaimed, and this destructive ministry with much ado worked out at last.

By this time both the factions had taken their successive turns of humiliation, and their heats were pretty well allayed, while in the mean time the people had found by experience that (speaking of the leaders) neither barrel had proved the better herring; so that they were grown more calm and indifferent in their affections for parties than they had been for several years past, and most men seemed rather to desire that the publick affairs should be put into the hands of the honest and most moderate persons of both sorts, than that it should fall into either extreme; and the king himself, who had been too much inclined to make his advantage of party (though I believe without ever having had any design to invade our liberties) came into this disposition towards the latter end of his reign.

After her present majesty's happy accession to the crown, this moderate temper continued for some time, till through the competition of some great men, the animosities of the people were again stirred up, and made use of as an engine to work about their own ambitious designs. The queen had made choice of certain extraordinary persons (whose number did not amount to that of the plural according to the Greek usage) of whose wisdom and abilities she had had many years experience, to whom she resolved to commit the prime conduct of her government; these therefore may be distinguished by the name of the ministers. There were others (and among them a chief whose pretensions and capacity rendered him second to none, had he but been qualified with more temper and less zeal for a party) who thought themselves worthy to be admitted into an equal share of the queen's confidence, but not succeeding therein, we may remark them by the appellation of the disappointed lords: Both the one and the other had been always of the tory party, but the ministers fore-seeing that the others would have a great influence upon the tories, soon entered into a secret correspondence with the whigs, resolving to secure that interest for their support against all events; they did indeed carry it fairly with the tories for a time, bringing several of them into the ministry and into places, and joined with them in procuring the election of many mem-

bers for the first parliament, which by that means came to be composed of a great majority of that side.

The ministers had acted wisely, they had restored the credit of the nation, managed the affairs of the war well, and manifested so careful a conduct in every thing, that hitherto they had given no occasion to those that watched for their halting: But the disappointed lords found out another way to work, they were become very careful for religion, and a bill is brought into the House of Commons to prevent occasional conformity, where it passed in two successive sessions, but was lost by the Lords; and it was remarkable that though the ministers openly concurred and voted for the bill, yet they declared their opinion of it as unseasonable, secretly discouraged it, and artfully contrived to drop it.

The mystery of this project was to raise the spirits of the tory party, to create in the queen an opinion of their formidable strength, and by degrees to model the corporations, weed out the dissenters, and at length to disable them in their electing members of parliament; and their design was still more evident, when in the third session they attempted to tack it to the land-tax bill, that if by that compulsion they should get it passed, or if the lords (as they had formerly declared) would rather reject a money bill than admit of any tack, the queen might be overawed by their power, and necessitated to take them into her ministry: But here they quite lost themselves, and broke their reputation for ever since, and the bigotted party-men had herein a convincing instance how much their leaders use them as tools to work their own ends, for several of the most considerable men of that side having been taken off by the ministers, and gratified with good places, they left their party in the lurch, and voted against the tack. And thus this noisy, mischief-making, party-driving, good-for-nothing bill came to be utterly lost.

Now again the factions are blown up into a flame; the danger of the church cried out on one side, the danger of high-church persecution on the other; Rehearsals, Reviews, Observators, pamphlets on both sides, all stuffed with fit matter to keep up the ferment, and no care taken to suppress them; cunning ministers know how to find their account in party contentions, 'tis but to join their power to make one side much the strongest, and then they will be likely to support each other against all opposition. Our ministers declared openly for the whigs, and this created a new thing called a junto, a ministry within a ministry: Some of this junto had formerly been eminent leaders of the unanimous whigs in the House of Commons; but they made their bargain before they would engage in the work, if the ministers would turn out and take in as they pleased, then their party in the parliament should stand by the ministers on all occasions; however, it was some years before they could work it up to an entire confidence in each other: Sometimes the ministers promised to gratify them with such changes of hands as they required, and, after the parliament was up, neglected the performance: The next sessions the junto would be sure to thwart them by their friends in the House of Commons; then all was made up again by a new bargain, which yet was perhaps but half performed; then the junto quarrelled again, upbraided them with breach of promise, sought out for faults to tax them with, and now and then gave them a pinch in the House of Commons, till they promised a full compliance: And thus it passed through several sessions, sometimes in league, sometimes at daggers drawing, till at last an occurrence happened that gave the junto such an advantage over the ministers, that they have since led them as in a cleft stick; and it will be no unprofitable digression to look backwards to the original causes that brought it about, since a great deal of the ill usage of the ministers will thereby appear.

The brave Earl of Peterborough had gone on with a course of surprising successes in Spain, cities and kingdoms were reduced to the obedience of King Charles, even faster than the couriers could bring us the intelligence, and his competitor must have

been quite driven out in the second campaign, had not that king been unhappily diverted from pursuing the right measures that had been concerted, and another general neglected both the securing of Madrid, and the getting in provisions to support the army for a few weeks: After this miscarriage the earl went to Genoa, and pawned his own credit to take up money to preserve the army from starving; from thence he proceeded to Turin, and formed such a scheme for the taking of Thoulon, that (morally speaking) it could not have miscarried, if the principal part of the project (which was to begin the campaign early by entering into Roussillon, in order to invade France on that side, with an army to be composed of a detachment from Savoy, another of but 5000 from our forces in Spain, the rest to be made up of miquelets; and when the French should have drawn their principal forces that way, then the Duke of Savoy, was to have marched to Thoulon) had not been disappointed by the Earl of Galloway's utterly refusing to spare 5000 men from that army, on pretence that he had positive orders from England not to divide his forces; whether he had any such orders or not, or whether his orders were to cross all the Earl of Peterborough's designs (which he effectually did) is not yet plainly discovered, but worth the enquiry of a parliament in fit time; this is certain, that when all the world applauded that earl's conduct, and whilst the whole nation were extremely pleased and gratified with his unparalleled achievements, the ministers thought fit to turn him out of all command, and, that they might affront him beyond example, they even writ to foreign princes to discountenance him; whether that they were afraid he should eclipse the glory of another, or that too quick a period would be put to the war, or that the French king was so alarmed at the progress of our arms in those parts that he began to make overtures of peace (as the earl had more honestly than warily let them know) and might probably give us the advantage of treating the peace on that side, to the disappointment of those who never intended it should be negotiated in any other place but Holland; or whatever it were, they stopped the progress of our arms in those parts, lost two kingdoms to the enemy, deprived their country of the services of one who had in so short a time given such a specimen of an enterprizing genius, such proofs of his superior abilities, such demonstrations of a conduct always successful, and never subject to mistakes or disappointments, and had made so many and so great conquests with a handful of men, that he has rarely been equalled, never exceeded by any general of the present or former times; his enemies had no better foundation for their proceedings against him than false reports, aspersion, and calumny; and though after his coming home a minister of state sent him five articles of pretended accusations, yet one of them was grounded on a mere mistake of their own, and the earl justified himself in the other four, by producing their own directions and orders for what he had done, so far had these ministers forgotten their own acts and deeds; and it is since evident to the whole kingdom, that they had nothing at all to lay to his charge, for when in the next sessions he desired to be heard in his own vindication, his adversaries had no other shift than to order multitudes of papers to be brought in, tiring the house with reading them, still avoiding to enter upon any matter of fact, and adjourning it from time to time, till they had spun out the sessions.

I am now led to the matter of which I was speaking. The mismanagement of our affairs in Spain came to be enquired into in the House of Commons, and it was found, that though the parliament had voted and provided for the maintaining of 28,000 men for the second year's operations in Spain, there were not actually 9000 of that quota employed in that country; this business was brought on by the tory party, who pressed hard that the house should prepare an address to the queen, roundly to represent this fatal miscarriage, and to pray her majesty to lay before them the occasion of it; the court whigs knew then no better but that it was their business to stand by the ministers in every thing, and therefore they laboured to mitigate the matter, and that

the address might only be to pray that due care might be taken to prevent the like faults for the future, they speeched it out till late, and struggled hard to get the debate adjourned for some further time, which at last they carried but by nine votes (for it must be noted, that there have always been some of the true old whigs that will not baulk their principle to vote through thick and thin, like the moderns in such notorious cases) but after all it appeared, that the mercenaries had fought this battle on the wrong side for want of their orders; the junto wanted at this time so fair an opportunity to bite the ministers, and force them into a compliance with what they had been long bargaining for, and therefore directed their creatures by all means to let the address pass as smart as the tories would have it; so when this debate came on again, the warriors were grown as tame as lambs, and the address went without any more than a little faint shewish opposition: The ministers were frightened out of their wits, here was a gap opened that led into a discovery of all the foul play that had been acted in the Spanish affairs, they fly to the junto, sue to them for peace, promise every thing if they will but help them out of this plunge; an answer to the address is trimmed up (in the queen's name) to palliate as much as possible, but too narrow to hide the miscarriage from any one that was not willing to be blind to it, and the nation is told plainly that one-third of our army has always been allowed for officers servants; (a fine cheat for whigs to countenance or acquiesce in) however the junto had gained their point, and now the party in the house were to let this pass for satisfaction, and so the ministers were brought off from this difficulty. Thus the same men who at first set themselves with all their might to defend the ministers in a matter wherein the nation had been notoriously abused, presently, when they are bid, leap over the stick the other way, and join in a complaint against the same ministers for the same fault, and then at the word of command leap back again as you were, all's well done, nobody to be blamed. How mean an opinion would the honest whigs through the nation have of the men they put their confidence in, if they saw how little regard they have to the true interests of their country, and how easy they are to betray it to serve a turn!

They had been long lifting at a secretary of state,² and now the ministers durst not deny them any thing, and out he must, though to the great regret of the good queen, who had had manifest proofs of his great ability and fidelity, yet they had the hardness to exact a promise from her majesty that she would not see him; and because he had faithfully discovered to the queen some mismanagements of the ministers, that would be of ill consequence if not redressed in time, the party gave out that he had been working underhand to throw out the very ministers themselves, whereas the utmost of his aim could be but to reform or balance; for to think of displacing and disgracing them at that time of day, was fit for no man in his wits: But this was a trifling slander in comparison to what they made it the business of their emissaries to load him with. He had himself entertained a suspicion that one of the clerks of his office held a treasonable correspondence with the enemy, and in order to discover it, he writ to the post-master on the other side to send him back a certain packet of letters, wherein he found a letter of this clerk's written to a minister of state in France; he first acquainted her majesty alone with it, and then appointed a committee of council to meet at his office, sent for the clerk, and then surprised him at once by producing and reading the letter before his face; the clerk was committed, arraigned, pleaded guilty, and was executed for the treason: The party used all their endeavours, and had their creatures in publick conversation to make the world believe that the secretary himself was privy to this traitorous correspondence; seven lords were deputed from that house to examine the clerk in prison, and it is remarkable that they were all of one side: Surely they that knew the manner in which the secretary surprised

² Robert Harley, afterwards Earl of Oxford.

him, must believe in their consciences that no man durst treat a person with such severity, if he knew it to be in the criminal's power to accuse himself; but the secretary's innocence was amply vindicated, when the clerk at his execution delivered a paper to the ordinary of Newgate, declaring, That his master was wholly ignorant of this treasonable correspondence, till he made the discovery himself, and thanked God that he gave him the grace not to do so vile an action for the saving his own life, as some would have put him upon; but the ordinary was not permitted to publish this paper (as is usual) and so it was suppressed for a time, till care was taken to print it from a copy that had been given to another hand, and then Paul Lorrain got leave to publish it also. I have been the larger in this narrative, that all well-meaning whigs may be truly informed, that though themselves and their principals abhor such practices, yet there are great men among their leaders that stick at nothing that they think will serve their own interests, and destroy those they hate, and the same men that could so lately both accuse and acquit the faulty in one breath, were now as ready to attempt the ruin of their enemy by subornation, and to stifle and suppress so clear a vindication of his innocence. Nor is it less worthy the notice of the whigs, that this very gentleman who has been rendered so odious in their esteem, if his conduct shall be impartially considered, it will be found that his actions have shewn him much more a patriot and a true whig than his adversaries; it was their deserting the true interest of their country, and running into and supporting all the mismanagements of the late reign, that made him join with those that were called Tories (though I am sure they deserved the good opinion of all true Englishmen on those occasions) to rescue the nation from the rapine of that corrupt ministry; and, as St Paul became all unto all that he might gain some, if this gentleman has employed the dexterity of which he is so great a master, to draw off the best men of that party from the extreme which they had formerly fallen into, and to win them into the true interest of the nation, his voting with them, pleasing them, and gaining their good opinion in order to good ends, are so far from faults, that they deserve the highest applause, and both parties ought to look upon him as the happy instrument that is content to sacrifice his own ease, to pass through good report and bad report, and to labour constantly to destroy faction, and to reconcile the honest men of all sorts who really design the good of their country: I am sure his bringing off so many of the high-party upon the last struggle for the occasional conformity bill, and the losing it by the tack, ought to be looked upon by the dissenters as such a convincing proof of his inclination to keep them easy, that they should never suffer themselves to be deceived by the impositions of those, who, to serve their own turn, would persuade them to think him their enemy.

It will also be needful to say something of another person, whom, together with the former, they have been pleased to make the objects of their slander and calumny: This is a certain lady,¹ related to and introduced into her majesty's service some years since by a very great lady who had long engrossed the bounty and beneficence of her sovereign; but when the young lady had by her virtuous qualities and prudent behaviour gained also some share in her royal mistress's favour and esteem, the patroness began to look upon her as a competitor, but by how much the more the jealousies of the latter increased, by so much the more did the former labour to extinguish them by a submissive demeanor, and avoiding all possible occasions of offence, otherwise than what would always be so taken as long as she should continue to receive any marks of the queen's favour, and even in these she besought her majesty to be more sparing towards her, rather than thereby to increase the other's uneasiness; but the

¹ Abigail Hill, afterwards Lady Masham, introduced by Sarah Duchess of Marlborough into the household of Queen Anne. When the Duchess had, by her extreme haughtiness, forfeited the favour of the Queen, Lady Masham succeeded to her favour, and was the means of hurrying out the ministry.

great lady was of a temper not to be mollified, the thoughts of any competition in the queen's favour, though in a degree much inferior to what herself continued to enjoy, could not be borne, no real fault could be found, therefore something must be invented to raise her powerful enemies; the junto were told that she did them ill offices to the queen, was the entire confidant of the late secretary (she is indeed his near relation) and abetted him in his (nobody knows what) intrigues against them; they lift hard to get her out, but the queen had too great a confidence in her innocence and integrity to be prevailed upon to part with her; however, the great lady presumed to turn her out of her lodgings at Kensington, with less decency than became the regard due to her royal mistress, and the mouths of the party were opened to traduce and render her odious among the whigs, who are persuaded to believe her to be the worst of tories, though at the same time she is married to the son of one of the best whigs in the nation, and hath never engaged herself in either faction: Thus from the private animosity of a ministerial lady, a modest, discreet, inoffensive, virtuous gentlewoman, is set up for the very mark of reproach and indignation of the junto and their friends, and the queen herself to be disrespectfully treated through her sides.

By this time the ministers and the junto were grown into the highest degree of mutual confidence, and, what with the entire command which the former had over the members who enjoyed civil and military offices, and the strong influence which the latter had over the misled unanimous whigs, they had so large a majority in the House of Commons, that they had great assurance of carrying every thing there according to their own minds: The lord high admiral (who had managed that high trust with unexceptionable conduct) must be laid by, and the nation burthened with a pension of 3000*l.* per annum, for no other reason but that one of the principals of the junto might be placed at the head of the admiralty; surely men will think themselves great, strong, and powerful, when the parliament, army, navy, and treasury of a kingdom, are at their devotion; and we had reason to think so, when a certain very great man, whose general behaviour had always been remarkably soft, easy, courteous, and cool to all, could now presume to dispute the disposal of a single regiment in the army with his sovereign, and to such a degree of animosity, as to depart from her presence in disgust, without returning till the good queen (may I say) submitted and yielded the point to him. But this was soon exceeded by a higher step of insolence; I have noted before that the queen would not be persuaded to give up the persecuted lady, so now they meditate on a way to force her from her arms, and, depending upon their strength in the House of Commons, resolve to procure an address to her majesty from that House, to pray her to remove this harmless lady from her presence, which had certainly been carried on if the queen had not concerned herself to stop it, by letting some honest gentlemen of the house know, that if she knew the lady to be guilty of any crime, she should be as ready to part with her as they to desire it, but she hoped that those who had any regard for herself, would never use her so hardly, as to consent to an address to pull from her a servant whom she esteemed, without convicting her of the least crime; this indeed prevailed at last to break this audacious attempt. I must yet tell you of another step larger than this, and even so high that it wanted but one of the top; in a word, they had projected to get the great man created general for life.

It was time now for our good queen to look about her, and having lost the support of her dear consort, the anxiety of her mind was become so great, that she was even overwhelmed with grief, till she found some faithful advisers to open her mind to, and surely they had been much to blame if they had not sedulously applied themselves to consult such measures as might render their sovereign safe and easy, and restrain the power and ambition of some men that were grown too great. It falls out indeed at an unhappy conjuncture with respect to our affairs both at home and abroad, that there should be any occasion for an alteration of the ministry, but as I have shewn you, from facts

that are well known, the real cause and foundation from whence all arises, you must needs be convinced, that what has already, or may further be done therein, proceeds not from caprice, or from a greater inclination to the tories than to the whigs, or from a mere affected novelty to change hands, when all's well already, (as the party vainly noise it through the nation) but from an inevitable necessity of giving some speedy check to the formidable power of a few men, who have given indications too evident to be slighted, that they have entered into confederacies, and taken resolutions to govern both queen and nation according to their own pleasure: And because the great men of the whig side have so deeply engaged themselves with the ministers in these dangerous intrigues, and divers of them have rendered themselves too obnoxious to be longer confided in, it therefore became unavoidable to have recourse to such who have indeed ranged themselves on the other side, but have seen the error of extremes, and are willing to enter into healing and moderate measures; nor is there the least reason to doubt, but that all those of the whig party who shall abandon the ill designs of the junto, and heartily concur (according to their own principle) in the promotion of the publick good, will be as freely admitted to employments, and as well regarded as ever; nothing being more desired than a coalition of the honestest men of both sides to balance the overgrown power of the ministers, and to manage the affairs of the government in such ways as may most conduce to the ease and satisfaction of her majesty, and to the welfare and prosperity of the nation.

The ministers and the junto soon discerned the cloud that was gathering over their heads, and as quickly bestirred themselves to provide for shelter against the storm. 'Tis easy to imagine at whose instances our good allies the states of Holland ordered their envoy here to desire her majesty not to change her ministers; 'tis true that this message was delivered with as much modesty as the subject matter would bear, but perhaps Monsieur Vryberg may be noted for the first foreign minister that ever was charged with such an affair, and it would have looked with something a better grace, if he had been instructed to have made this sort of intercession by way of conference with some of the queen's ministers, who probably might have been ordered to give him such an answer as would have satisfied his masters, without his applying directly to herself in a business which could not possibly be void of some offence, though her majesty would take every thing as well intended that came from a state for whom she has ever had so sincere a regard, and who have so signally exerted themselves for the good of the common cause.

Their next attempt was to play the bank upon her majesty; this was contrived by procuring the governor, with some of the directors (and we may guess who sent them, and gave them their errand) to request certain great lords to represent to her majesty, that the apprehensions of a change in the ministry had mightily disturbed the trading people in the city, shocked credit, and they feared, if a stop were not put to it, would cause a run upon the bank, and disable them from serving the government; the message was delivered, and it was desired that her majesty would be pleased to permit them to receive her answer from her own mouth; accordingly they were appointed to

The whigs, who had the command of the monied interest, threatened the new administration with the destruction of credit. "The directors of the Bank of England, looking upon the removal of my Lord Sunderland ominous to credit, represented to her majesty, by the Duke of Newcastle, that if any further changes were made in the ministry, public credit might be much injured. But that weighed very little with those who were not much concerned in the rise and fall of it, which was the condition of the Harleys, Harleycourts, and almost all those that were ready to fill the places that were to be made vacant for them. However, the queen gave leave to Sir Gilbert Heathcote, governor of the bank, Nathaniel Gould, Esq. deputy-governor, Francis Eyles, Esq. and Sir William Scawen, two of the directors, to wait upon her; and, says the same author, she assured them she would make no further changes. So it runs all along to the end of this reign; and we may assure ourselves, that whenever any thing is said in the most solemn manner, the reverse of it will happen on the first occasion."

—OLDMIXON'S *Hist. of Eng.* page 449.

attend the next morning (and this they have since been pleased to call a being sent for) and had a most gracious answer from her majesty. I am unwilling to reflect so hardly as the thing deserves upon men whom I esteem so considerable in themselves, and so useful to the publick, but yet it is fit their principals should know that they have not well deserved of them by their meddling in this affair, which (as I shall shew anon) did not at all concern them, if they manage their bank (as I really believe they do) prudently and honestly, and may possibly at some time or other turn to their disadvantage. What if a parliament should come to be of the opinion (as some have suggested against them) that they may really become dangerous to the government? or else that it may be dangerous for the government to have so great a dependence upon them? Would it not be ridiculous for all the other bankers of the city to petition the queen to take care of their credit? Is it not the duty of a body of men joined in a bank, though they deal with the government, yet to be as careful as private men not to launch out beyond the power of their purse, but to keep themselves ever in a condition to answer all calls? 'Tis known that the Bank of England has a real fund of five or six millions; is it sense to imagine that the change of a ministry should shake such a credit? The people have a well-grounded confidence that they may trust their cash upon such a security, and under the direction of honest men, and the bank may reasonably make use of some competent part of the money so left in their hand, to employ it for their own advantage in the way of banking, which is to deal in plate, jewels, or other such valuable commodities as will always command ready money; to discount bills of exchange, to purchase or lend upon tallies, or other publick credit in near course of payment, or what may (as that business now runs) be daily disposed of for cash; they ought withal never to launch out in this kind of dealing so far as to leave themselves unprovided of such a constant stock of ready money as they find by experience to be much more than sufficient to keep up the circulation of their specie notes; now if they do really manage in this manner, they will be always provided against all runs upon them, upon whatsoever occasion they may happen, and consequently had nothing to fear from any change in the ministry: But if they have forborne to call in from their own members all such sums of money as they have lent to the government upon the funds appropriated to themselves, or any other funds of distant payment, and have made use of the people's running cash for that purpose (which is best known to themselves) they may indeed be apprehensive that their credit will be in danger from any event that may occasion a hasty call; but at the same time they must bear to be told, that in such a case they will not deal honestly with those who lodge their cash in their hands, in confidence that it always lies as ready to answer their immediate occasions, as if they had it in their own keeping; for if ever such a run upon the bank should happen, as might slacken their punctual compliance with all their own bills whensoever demanded, 'tis not enough to tell these people, that their money is secure, or that they shall have it in a week or a month hence; such a disappointment might break hundreds who had bills of exchange or other nice credit to comply with. Where then can be the wisdom of this their application to the queen? Would they in so publick a manner give occasion to the world to suspect that they have indeed made too bold with the people that put confidence in them? This were the ready way to hasten those people to call for their money; but the citizens have (and I believe very justly) a much better opinion of them; or did they do it to gratify some powerful men, who might hope that a deputation to represent the fears and jealousies of so considerable a body would awe her majesty from pursuing such measures as she thought best for herself and the kingdom, but which they might fear would break their own designs, and lessen their authority: Either way could bring very little reputation to the bank;

¹ If the pamphlet was really believed to be written by Harley, this was a serious hint from a prime minister.

and surely those gentlemen ought more maturely to have consulted the true interest of their society, before they had suffered themselves to be made the instruments of a party in so absurd a manner to impose upon their queen and country.

Another artifice to disturb the minds of the people was, to persuade them that this change of the ministers will fall the stocks, foreigners will draw their money out of our publick funds, and both publick and private credit will be ruined, and this they tell you is already evident; but if these matters are set in a true light, they will all appear to be nothing but amusements and bugbears to frighten ignorant and unthinking people. The true standard of the worth of any thing is its intrinsick value; if a higher price be set upon it, that is but imaginary, not real worth. If there be a certain knowledge that the principal stock is improved by management, just so much is the intrinsick value raised; if it be as certainly known that the principal is lessened by losses, the intrinsick value is fallen in the same proportion; but as long as this profit or loss shall remain doubtful or uncertain, the principal stock must always be accounted the intrinsick value, because the expectancy is precarious, and may prove better or worse than the expectation, and consequently any variation from this way of valuing will always be but imaginary, never the real value of any thing; it is indeed a common saying, *Valet quantum vendi potest*.

Just as much money as 'twill bring,
Is the true worth of every thing.

But these are maxims invented by knaves to cheat fools. To consider then the true worth of India and bank stock; as these companies do make a yearly dividend of profit, the real value of these stocks can be accounted for no otherwise than by the principal money paid in, with an addition of so much of the annual dividend as has accrued since the last payment: I will not pretend to be so perfect in the mystery of stock-jobbers as to know exactly how much per cent. has been actually paid in by the subscribers, but I take it from the general voice, that those stocks continue still to be sold considerably above the intrinsick value, so that the great noise that is made about the falling of stock has been a mere imposition and a palpable untruth; for though we daily see that these stocks are run up and down by the new science of stock-jobbing, yet this can never be truly said to operate any thing upon the real intrinsick value, which can never be moved otherwise than by the known profit or loss upon it: We know that the management of the bank is profitable, and that the funds settled for the payment of their interest is competent, and as secure as any other possessions in the kingdom, for whatsoever overturns one must overturn all; but if some people will be frightened at shadows, or in disgust should sell their stocks for less than the real value, what reason is there for a government to be moved at this more than at such angry children who throw away their bread and butter?

Well, but foreigners will withdraw all the money they have put into our stocks and publick funds: I say they cannot, for the money must lie where it is. O! but they will sell it all off; with all my heart, then Englishmen must buy it, and the sums that they yearly carry out of the nation for their interest or annuities will remain here and circulate among ourselves. This, weak though it be, they may think sufficient to puzzle the ignorant, and serve their turn well enough, if it does but set the people aggrumbling.

Now for our publick and private credit; a new ministry, say they, will certainly destroy both, bring all things into confusion, and disable us from carrying on the war. I hope not; but, in the mean time, what do we owe to those ministers that have brought the nation into such a condition, that, as they think, she cannot subsist without a dependence upon them and their creatures? However, if our future parliaments

will give as good funds, and as good bargains as they have done, how can they tell but that the people (and the foreigners among the rest) will throng as hard to get in their money as they used to do? But they tell us the monied men are on their side, and they will lend no more; no, not when they do not know how to employ their money so well in any other way? I believe yet, if there should be some froward children (as I noted before) that would throw away their bread and butter, we shall find more hungry ones that would catch it up and eat it. But what if our new ministry should do better for us than they have done, and find ways and means to raise the needful supplies within the year? This surely would heighten our publick credit, and put us into a condition to live of ourselves, without having so much occasion to borrow, and to mortgage the nation to future generations; a moderate general excise added to a just land-tax would do all, and there is a necessity for us to come to it at last, or ruin ourselves if we go on in the borrowing way. What do they mean by destroying private credit? Shall not we be able to find trust for our daily bread? Or will the merchants or wholesale traders refuse their best chapmen, unless they come with ready money in their hand? Woe be to bad paymasters then! yet the nation may be comforted in this, that then we shall have fewer bankrupts; be it as it will, I am of the opinion that let who will be in the ministry, men of substance and probity will never want as much credit as they desire, and they that have neither, if they should ever get it, will never be able to keep it: A certain writer (just as if he were an humble servant of the party on all occasions) is reading us a large lecture on this topic, Credit; he trims her up like a gay lady, and tells us she can do miracles and cack wonders; he had better have compared her to a loving spaniel bitch, that will never leave a master who uses her well, but if he gets up to ride her, she sinks under him, she can do no more than she can do. But what if under this title of private credit they mean also the paper credit, and would have us think that trade could not subsist without it for want of a sufficient quantity of specie money to circulate payments? But this, like the rest, is all fallacy, for neither bank nor bankers give out their bills till the money is actually lodged in their hands, and though these bills may pass through twenty hands before one comes to fetch the money, yet there is not one penny more or less employed in trade than would have been if this money had been paid from hand to hand; the whole business is simply no more than this; men in commerce must always owe money to some, and have it to receive from others, and if they make a bank their common cashier, their mutual occasions of receiving and paying meet there as in a centre, and they are enabled by means of the bank-bills to make their payments to each other by assignment, without the trouble of telling the money, and the bank's security for the payment creates a more general acceptance and currency than the bills of private men, because banks always pay at the first call, when a good man may make you come two or three times for the money; and thus banks and paper credit are a good ease and conveniency to tradesmen, but add nothing to the increase or diminishing of trade or money. After all, when the citizens shall have any reason to doubt the infallible punctuality of the bank or bankers, they may blame themselves for any inconvenience they may suffer, because they might have prevented it by taking the pains to keep their own cash as their grandfathers did; it is true such a turn of caution and good husbandry might have hindered the profit of the bankers, but it concerns not at all the government, who have no reason to trouble themselves whether the trading citizens manage their business wisely or otherwise. Our party-politicians also had better let the world rub on in its own way, than make a noise about things which they don't well understand; and it is because the clamour about them has been very great, that I have thought it worth while to say so much as might undeceive such as have entertained wrong notions thereof, and convince them from the nature and true reason of the things, that court changes can no more lessen their real value, than they can that

of our other substance; and when these groundless fears are abated, people will resume their former good opinion of them, at least those that continue their interests, and do not mind stock-jobbing, will find their stocks in these companies to be employed to as much advantage as ever.

But these are not all the false and malicious suggestions that the junto party have invented, to inflame the minds of their credulous admirers; they tell them nothing less is intended than a total change of hands, all whigs to be turned out of the ministry, and the tories to rule all; then the dissenters must expect another occasional conformity bill, nay even their precious liberty of conscience will be taken away: We shall soon see whether they have any ground for such reports, or whether they are altogether fictitious and false; let honest men but take notice of, and remember the persons who make it their business to talk up these stories in conversation, that, when they shall see the event to be otherwise, they may know who are the tools of the party, and never more suffer them to impose upon their credulity; in the mean time I dare assure them that they have none of these things to fear, and that her majesty is as firmly resolved against all extremes as they can wish, that she will bear equal regard to men that behave themselves well of either side, and desires that the names of parties and factions may be buried in oblivion, and that we may have no other mark of distinction among us than that of knaves from honest men; that they will find such of the tories (as people still call them) as shall be admitted into the ministry, will come into moderate measures, and when any of them act otherwise they will be laid by; and that the queen has declared, as a principle she will always stand by, that she will never suffer herself to be prevailed upon to make the dissenters uneasy by an occasional conformity bill, or any thing like it, and that she will inviolably maintain the toleration they now enjoy.

Nor will the party stop here, but to shew that they have no limits to their scandal, they give out, that nothing less is designed by these changes, but that such men may be put into power as will work about another revolution, and bring the Pretender in upon us; they tell us too of a sponge that shall wipe out all the publick debts, and cancel the appropriated funds. *Fortiter calumniare, aliquod adhæreat*, is an old maxim which they practise as freely as any people ever did before them; they know that nothing can more expose men to the odium of the nation than such imputations, and therefore they labour to fix them on their enemies, without the least regard to truth: But such things can't be brought about without some previous indications; it will be then time enough to suspect such villainous designs, when any thing like them appears, and, God be thanked, there is so general a disposition in the people of this kingdom (notwithstanding their party feuds and divisions) to support her majesty's title to the crown, the succession in the house of Hanover, and their own rights and properties, that we have no reason to disturb ourselves with such apprehensions, or think it in the power of a few ministers, if they had the will, to attempt them; and I am in no doubt but that we shall see such men in the new ministry as will soon convince the nation, by their actions, that they will shew as much zeal for the present government, more duty to her majesty, and less regard to their own private interest, than their predecessors; in the mean time, we need take no more pains to answer these calumnies, than the parson did to confute the cardinal, and that was to tell him in short, Bellarmin, thou liest. They have told us that these changes would shock our allies, and force us into a dishonourable peace, but we have seen the quite contrary; and then we are to be persuaded that these clashings among ourselves have encouraged our enemies to break off the treaty, I hope for the better still, and that in the next more regard will be had to the trading interest of Great Britain, than these ministers had shewn in the former preliminaries.

The last of their clamours which I shall here take notice of, is that against dissol-

ving the parliament. A parliament, say they, that have given such vast and effectual supplies to support the war, and done every thing that could be expected from them to shew their steady zeal to the queen and government; in all this they did but their duty, and why should we fear that the next will not do it as well? But it must be said withal, that the junto had wrought up so great a majority into engagements to stand by them on all occasions, by voting unanimously in every thing that concerned the ministry, that it was from thence they took the confidence to make those large steps I have formerly mentioned; and therefore 'tis no wonder that they are so extremely fond of this parliament, and so much afraid of its dissolution; take away this, and we know their strength is departed from them; if they can but get this parliament to sit, they have hope, and 'tis the only hope they have left, that their party will stick together, and be strong enough to retard the supplies till they have forced a kind of necessity upon the queen to undo all that has been done, and submit herself to their dominion again; and perhaps her majesty may think that a sufficient reason utterly to deprive them of that hope; of what use is that right of the prerogative to dissolve parliaments, if it may not be exercised on such occasions? No wrong can be done to the subject by it, for their right of election remains free to them, and they may chuse as many of the same members again as they think fit. After all, I must own that I should be glad that the chusing a new parliament could be avoided at a time when the people on both sides are in so high a ferment; I know also that a great many good men, equally zealous for their queen and country, would be extremely gratified if it could be forborne, and I can't doubt, but that such a number of the true old-principled whigs (such as voted for the bill against officers sitting in the house) would come over into her majesty's just measures, that they would leave the junto party very thin and impotent; but I freely submit to the wisdom of my superiors.

I will, sir, own to you, that I have always espoused the true whig principle; that is, to be heartily affected to the court and ministry when they act uprightly for the publick good, and as heartily to oppose them when they do otherwise, and you will see that I regard the thing itself so much more than the bare name of it, which some men have assumed only to work their own ends, that I have as freely animadverted on the late proceedings of some of my own party as you have done upon yours; but still I desire you will take notice, that as the number of the whigs is made up for the most part of men of thought and industry, who understand their principle, and are careful to preserve liberty and property, I esteem them to be generally honest and well-meaning people, and to intend the publick good; but then, when their leaders have proved otherwise, they have been too apt to be deceived and misled by them through the confidence and good opinion they have of them, being blind to their faults, and constantly standing by them in opposition to those they account tories, even though the former should pursue wrong measures, and the latter be in the right.

On the other side, I take the generality of the tories to consist mostly of a looser and less thoughtful sort of people, who look no further than the outside of things, and take up with notions they don't understand, condemning the very same thing in others which they have practised themselves; they are mightily influenced by the high-flying clergy, and dance after their pipe in every thing, and we see what a madness they are run into for the silencing an incendiary: What a noise do they make with their nonsensical addresses and furious insolent sermons? We know that the queen has both an hereditary and parliamentary title, but without the latter she had not now so happily filled the throne: What do they mean then by crying up the hereditary, and slighting the parliamentary title? And what nonsense is it in them to lay so great stress on the former, and yet at the same time to profess their adherence to the succession of the house of Hanover, which can pretend to no claim but by act of parliament? But, if their own ignorant partizans don't see, we know what the contrivers

intend by it; for one of their own writers has told us plainly, that "hereditary right, and the natural allegiance due to it, is a stubborn thing, and will not bend even to an act of parliament, nor to a thousand usurpations." This is plain enough without a comment. Why do they make such an outcry against rebellion and rebellious principles, when (except the notorious Jacobites who herd with them, and what has lately appeared on their own side) the whole nation is full of duty, loyalty, and hearty affection to her majesty? To what end do they cry out against republicans, when at this day there is not the least appearance of any party that affect any change of the established government? For my own part, I am suspicious that the non-jurors and the high-church clergy, who think their ecclesiastical domination too much clipped by our present constitution, are at the bottom of all these outcries, that, if possible, they might stir up their giddy devotees to bring in the Pretender, with whom they may imagine that they could make their own terms. Such false and malicious suggestions as the above-mentioned do indeed shew the true spirit of toryism; but then we must do so much right to others who are reckoned of that party, as to acknowledge that there are many gentlemen among them, who though they may have a more than needful concern for the monarchy and the established church, are yet zealous for the supporting her majesty's title and the Hanover succession, and do sincerely approve the Revolution principles, and abhor the slavish doctrine of unlimited passive obedience: And these do, in respect to civil government, so nearly mean the same thing with the honest, well-meaning, disinterested whigs, that if these two sorts would but let fall their mutual jealousies, and unite themselves in all those things that apparently concern the publick good, the nation might be so happy as to see a speedy end put to our factious divisions, and the designing grandees on both sides would find themselves left without followers to shift for themselves.

'Tis most certain that all good men mean well, and that their animosities against each other, on account of their differing sentiments, arise more from the prejudices of education and conversation, than from a thorough examination and well-grounded knowledge of the points in controversy; and the strife between them seems indeed to be more about words than the things themselves, so that the admitting but a few modest and easy distinctions would go a great way towards reconciling their various opinions: To instance in some particulars, the tories value themselves highly upon their principles of loyalty to princes, and say they are not to be resisted, but must be obeyed actively or passively; thus far the whigs agree with them, and allow that lawful authority is not to be resisted; that civil government is the ordinance of God, for the procuring and conserving the peace and quiet of human societies; that 'tis the indispensable duty of all Christians to live peaceably and quietly under their princes and magistrates, to reverence their persons and esteem them sacred, and if in any case they cannot obey them actively, yet they are bound to obey them passively in every thing relating to their just power; this, and nothing less, is what they think sufficient to answer the end of humane government: But then the Laudean churchmen have, from these true principles, taught by the scriptures, and believed by every good Christian, extorted extravagant consequences no where warranted by the sacred writings, and utterly destructive of the rights of mankind, and contrary to the common dictates of reason and the laws of nature; they would persuade us that all kings are *Jure Divino* placed above the laws, and accountable to no power on earth for their misgovernment, that we are bound to submit ourselves to them with an unlimited passive obedience, and if they should violate all the laws of liberty and property, and should attempt to take from us our estates, wives, children, nay our lives, merely to gratify their own will and pleasure, we are not to make the least resistance on pain of eternal damnation. This now is such a doctrine of slavery that it perverts the very end for which God Almighty instituted government, and is so contrary to his divine attributes of wisdom, justice, and goodness, that, though it may pass for good Mahometanism, I am sure there is no

Christianity in it: The scriptures indeed give us a description of what wicked kings would do, such as God gave to his people in his anger, and took away in his wrath, and their tyranny is denounced as a curse upon the Israelites for rejecting their God, but is nowhere approved, nor were the people bound to submit to it; the one instance (besides many others) of the ten tribes rejecting Rehoboam, and making Jeroboam their king; and that this is said to be from the Lord, is sufficient to confute gainsayers: All history is full of examples of the people's rescuing themselves from the tyranny and oppression of their bad princes whenever they were able; the Huguenots in France, the Dutch, and the Scots, have in these later times taken up arms against their lawful princes when they oppressed them in their civil and religious rights, and yet they have been approved therein by all good protestants. The whigs therefore say, that the precepts of the apostle enjoin such an obedience as is due to all lawful government, and claim not the least pretence to resistance, but in such extreme cases when the prince breaks through the fundamental laws of his country, and sets himself to destroy liberty, property, religion, and all that is near and dear to the people, then they believe that Christianity does not require free-born subjects to submit themselves to become slaves, but that they may use such power as God has given them, to defend and preserve themselves, and to restore the laws and liberties of their country; this must be admitted by all who approve of the late happy Revolution, wherein there seems a design of Providence to expose the great sticklers for passive obedience and non-resistance, who, when they began to feel the rod of persecution upon their own backs, soon forgot their own doctrines, were the first that invited the then Prince of Orange to come over with an army, and joined heartily with the whigs to resist the late King James, and rescue the nation from the impending ruin; and thus we have seen that how much soever these parties have differed in words, they both agree in the necessity of the thing; and for those that have since strained their inventions to persuade the world that marching with an army against the late King James, firing upon his forces at Reading, and driving him out of the kingdom, was no resistance, but still good passive obedience, their ridiculous sophistry deserves no other answer but contempt. But the tories think this notion of resistance encourages treasons and rebellions, for every one may think himself a competent judge when the king misgoverns, and consequently may oppose him: We say no, 'tis not acts of private injustice or mere errors in government that can warrant a people to resist the authority that God has placed over them; here we own passive obedience to be a Christian's duty, and contend for it as much as themselves; but when a prince shall exercise repeated acts of violence and oppression upon his people, shall dispense with the known laws, and set himself to overturn the constitution, and to make his own will and pleasure the only rule of his government, and all this is as visible to the whole nation as the sun that shines at noon, then, and never till then, is the time (if no other means be left) for the people to have recourse to the last remedy; and herein I believe all considerate unprejudiced men of the tory party agree with us; nor is there any whig (that I know of) who will not heartily submit to the Christian doctrine of obedience, as cleared up by the present pious and learned Archbishop of York, in his excellent sermon preached before the House of Lords on the 30th of January, 1733, wherein he asserts that "The standing laws of every country are the rule of the subjects obedience, and not merely the will of the prince."

Again, the tories commend themselves for steady supporters of monarchy, and upbraid the whigs for men of republican and antimonarchical principles. These terms indeed render them as directly opposite in their opinions as liberty is to slavery, and yet, when what each of them mean by these terms is fairly explained, I believe it will appear that the honest and judicious men on both sides are equally inclined to support and oppose the same kinds both of monarchical and commonwealth governments. Politi-

cians have distinguished monarchy in absolute and limited ; absolute monarchy is where the prince in his own person is above all the laws, and governs alone by his own will and pleasure, the lives, liberties, and estates of all his subjects (or rather slaves) being entirely at his own disposal, and he gives laws and takes them away at his pleasure, his single will being the only law, and his people must submit to whatever taxes he requires : The Emperor of the Turks, the King of Persia, and other eastern princes, govern after this manner, and the French king, with some other European princes, who have suppressed the authority of their parliaments, come little short of it. What they call a limited monarchy is, where the king bears a royal grandeur, dignity, and majesty equal with the other, and enjoys the supreme administration of the government, but has not in himself authority to make, abrogate, or dispense with the standing laws of the kingdom, or to raise taxes upon the people, but the parliament or states of the kingdom participate with him in the power of legislation ; and they have a right to enquire into any mismanagement of the government, and to punish such ministers or officers as have acted contrary to the laws, or done any thing to the detriment of the publick weal, in which cases the king may not interpose or pardon the delinquents ; and thus the liberties and properties of the people are defended and secured to them by the laws. This form of government, with small alteration, was introduced into most of the kingdoms of Europe by the Gothic people ; in some the king was elective, in others hereditary, but not always confined to the immediate succession of birth-right. A republick or commonwealth is where the power of both legislation and administration is placed in many, chosen among the subjects for their wisdom or merit, without any single person or king to be supreme or head of the government. Now our modern flatterers of royal power, because our constitution is called a monarchy, have taken the advantage of the word to attribute to our kings the same powers that are taken by an absolute monarch, and have magnified his authority above the laws, which is a palpable absurdity, for then there can be no limitation ; but we know that ours is (and has been so accounted from time immemorial) a limited monarchy ; and they that argue against it do avert the very foundation of the nation's rights, and deserve not to live in the kingdom. A limited monarchy then and a commonwealth do both aim at the preservation of the liberty of the subject, and if the ancients could have foreseen how much the word monarchy would have perverted its companion, perhaps they might have thought it as fit to have called this kind of government a regal commonwealth, and we see at this day the Polanders stile themselves a commonwealth, though they put a king at the head of it ; this then is the only republick we love, and the absolute is the only monarchy we hate ; and in this (as I said at first) I believe all the honest and judicious among both whigs and tories mean the same thing : 'Tis true our fathers tried the experiment of a commonwealth without a king, but it was found so disagreeable to the genius of this nation, that the people rather chuse to set up a broomstick, and submit to it, than to be without a single head or supreme in the government ; and it appeared plainly in the Convention-parliament, that the number of those was very inconsiderable who shewed any inclination to change our limited monarchy into a direct commonwealth, so that the reflection upon the whigs at this day is wholly malicious and groundless on that account.

In like manner our religious contests are more about ceremonies and church discipline than the worship of God, which consists in spirit and truth, and therein I am afraid all parties will be found too much wanting. God created man in a state of innocence, uprightness, and spiritual union with his Maker, but through the disobedience of our first parents this heavenly condition was lost, and the curse of sin, death, and hell entailed upon all their posterity : Hence it is that every man, who seriously examines

his own heart, finds by experience that his will and affections are depraved, so that his chiefest love and desire are turned away from the Supreme Good, and placed upon the creatures and worldly enjoyments; the sole end of religion then is to reform and correct our evil natures and corrupt inclinations; in order to which, God in his infinite mercy hath given us divine helps and means sufficient to recover us out of this undone state and condition, and to conduct us to his heavenly kingdom; the first foundation of all was his promise to send his only Son, who, in the fullness of time, came into the world, took upon him our nature, became acquainted with our infirmities, and was made like unto us in all things, sin excepted; having performed the will of his Father upon earth, he gave himself up unto death as a sacrifice to appease the wrath of God for the sins of all mankind; after his resurrection from the dead he sent forth the Holy Spirit, and shed abroad the love of God in the hearts of the faithful, and gave them his grace to enable them to live righteously and godly in this present evil world, then he ascended into heaven, where he sits at the right hand of God the Father, making intercession for us, till he shall come again at the last day to judge both the quick and the dead, according to their deeds done in the body; and as God has thus given us his Son, he hath truly with him given us all things, all secondary helps and means for our encouragement to persevere in the way of spiritual religion, such as the Holy Scriptures, the ordinances, church fellowships, and communion of saints, pastors, and teachers, with all other heavenly gifts and graces, for the edifying the body in love, and building up in the most holy faith. This then is such a system of religion, as I think all Christians do agree in; and though all reasonable men hold for a maxim that the end is always more worthy than the means necessary to the attaining it, yet such is the miserable apostacy of professed Christians, that both clergy and laity of all sorts have manifested a much greater zeal for the means or outward form of religion than for the end, which is the changing our depraved nature and sanctifying the soul; they have wrangled, fought, and contended so long and so bitterly about the shadow, that they seem to have lost the virtue, power, and substance of it; nay, to such a degree of profaneness are men grown, that it is too frequent to hear some swear and execrate for their church; but we seldom see the fiercest contenders for religion shew any in their lives and conversations, whilst the sober practical Christian finds he has enough to do to watch against the infirmities of his own nature, to master his own will, and to mortify his carnal affections and sinful inclinations, and is so sensible of his own unworthiness, that he is much readier to judge and condemn himself than others; he falls not out with his brethren by the way, but is full of meekness, tenderness, love, and compassion, and bears good-will and universal charity to all Christians, without regard to their different forms of worship: How little of this temper do we see in the conduct of many who pretend to be ministers of the gospel of peace, and yet fill their sermons with reviling, slander, and invective, to stir up men's minds to wrath and discord? May we not then from their works conclude that these have no savour of the things of God, but are of the same spirit with such whom our Saviour denominated wolves in sheep's clothing, and that they are of their father the devil, whose works they do? It is high time for the multitude to open their eyes and see whither these guides are leading them, and for the government to awake, and provide such laws as may stop all mouths and pens from weakening our constitution, betraying our liberties, exposing the Revolution, and undermining the queen's parliamentary title and the protestant succession. But these high-flying clergymen would place themselves in a station above the reach of human laws, they tell us they are *Jure Divino*, God's heritage, a royal priesthood, touch not mine anointed, &c. We see they would be flying as high as popery itself, if we would let them: But though these glorious titles are predicated of the divine spiritual gospel-church and ministry, let not these men be too forward to attribute them to themselves, till they first convince us that they have no ambition to ex-

ceed the bounds of the gospel dispensation ; it is not enough for them to tell us that they are the successors of the apostles, unless withal they shew us that they are acted and guided by the same spirit that dwelt in the primitive Christians. We freely yield to them that the offices of Christian bishops, pastors, &c. are of divine institution, but then let them distinguish with us between what is divine, and what is but human, in the exercises and appendices of those offices ; many powers and emoluments have been added to them which were not known or thought of in the days of the apostles, such as lordly titles, temporal possessions, jurisdictions and immunities, with the divers forms, powers, liturgies, and ceremonies of national churches, and the dominion of the clergy over the laity ; these things may be useful to religious societies so far as they conduce to their support, decency, and good order, but are not indeed any part of true spiritual religion, no more than the garment is a part of the body, and may be enlarged or diminished, put on or put off, as the differing circumstances of time and place, and the inclinations of the prince and people, may require : In short, we ought to distinguish between the political churches of nations, which are subject to be set up and pulled down, limited and reformed by the authority of the Christian magistrate, and the invisible church of Christ, which consists of all such of the whole body of Christians, who worship God in spirit and truth, whose powers and privileges are not carnal, but spiritual, and can never be altered or taken away ; God grant that all men of good-will, of whatsoever persuasion, may be found of this number, without which all our zeal for the outward forms of religious worship will stand us in no stead ; in this I am sure all sincere and virtuous and pious Christians agree with each other, and for the rest, they do but profane the venerable name of God by their pretences to religion ; and if such should come to be made legal bishops and pastors of political churches, they might yet have no part or portion in the royal priesthood or in God's heritage.

I am very sensible that my argument has led me to speak of things which may touch some great men whom I yet honour in my heart, but all the respect I was able to shew on such an occasion was to forbear their names ; the facts I have mentioned are known to be true, 'tis therefore their own actions that reflect the censure, not the relation ; I have the utmost aversion to detract from the merit of such who have deserved well of their country, but when any man has done the most glorious actions, has deservedly gained an universal esteem both at home and abroad, and has obtained both the greatest riches and the highest honours that his country is capable to confer, he ought still to consider on his part, that he has done but his duty, that he has been bountifully rewarded, and to remember that he is still but a subject, and the greatest of subjects owe the same regard to the good pleasure and just commands of his sovereign as the meanest peasant in the kingdom ; we know that the greatest and wisest of men are still subject to human infirmities, and may have stronger temptations to ambitious excesses than such as move in lower spheres ; in such a case the best of our wishes in his behalf should be, that he may be reformed by some seasonable reproof, and be preserved from falling into any such extreme as might cancel the merit of his past services, and in the mean time, though we are willing to bear a large measure of respect and good-will for him, yet our indispensable duty and love to our most excellent queen and our country ought always to engage our chiefest regard to them.

Thus, sir, I have taken the occasion of your letter, to convince the honest men on both sides, that they have been all along deceived and cheated through the opinion and confidence they have had of their respective parties, who have proved to us like a whip-saw, whichsoever extreme is pulled, the nation is still miserably sawn between them. 'Tis time for us then to grow wiser, and for all such as sincerely desire the public good and welfare of their country, to bury their animosities, and labour to reconcile their imaginary differences, that they may no longer suffer themselves to be made use of as tools, and to be played agianst one another by crafty and designing men,

who regard them no farther than as they can make them subservient to their own purposes. It would be a great happiness to the nation, if in cities and corporations both sides would meet together in a friendly manner, to consult of their elections for representatives in parliament, and unite in making choice of men of the greatest integrity and probity, without any consideration of their party; a man that is wise, honest, and independent, will never be led by any party to a compliance in such matters as he thinks detrimental to his country; they know the temper and qualifications of gentlemen who live in their neighbourhood, but such as are wholly strangers to them, and live at a distance, they will have reason to suspect as set up to serve, not their country, but themselves or their patrons: Pity it is to see, that people who have so noble a privilege as that of using their own freedom and judgment in chusing the makers and conservators of their laws and liberties, should throw it away and sacrifice it to the solicitations and recommendations of men in power, or, which is worse, sell it to those that bid most; would the free people of Great-Britain but once exert their own power to reform the House of Commons, by electing a majority of virtuous and disinterested members, we might soon expect to see the publick managements reformed, and such an improvement might be made of the invaluable blessing we enjoy in her present majesty, as would root out our factions, heal our breaches, and so equally settle the bounds of prerogative and liberty, that no room should be left for clashing about them for the future; our late kings have had so strong inclinations to extend their power to gain all the advantages they could upon the people, that those courts have always had separate and distinct interests of their own to carry on, which (as I have before shewn) was the first cause of all our discords; but our present queen has never manifested the least regard to any interest divided from that of her people, and has indeed no other thing so much at heart as the ease and tranquillity of her subjects; this then is the happy conjuncture, wherein nothing but our own divisions and folly can hinder us from making our queen safe and easy, and our valuable rights as secure as our hearts can desire, and leaving them so to our posterity; and 'tis for that end only, that I have taken this pains to stir up my countrymen to be wise for themselves, and to beware of the impositions and specious pretences of their guileful managers.

For yourself, sir, though we are equally strangers, and like so to remain, yet your happier style shews me your superior capacity, and my own inability to contract, like you, my matter into a narrow compass; but if I have been able to expose the faults of such who have been the unhappy occasion of the present distempers of the nation, and to vindicate the proceedings of those who are endeavouring to reform what has been amiss, and to put the publick affairs into a better way, I hope the sincerity of my intentions will atone for my prolixity and the weakness of my performance. I conclude then with a precept of the ancients, fit to be observed in these times, and with assuring you that I am,

Sir,

Yours and my country's

Very humble servant, &c.

Publica privatis secernite, sacra profanis.

Faults on both Sides: Part the Second. Or an Essay upon the original Cause, Progress, and mischievous Consequences of the Factions in the Church: Shewing, that the Clergy, of whatsoever Denomination, have always been the Ringleaders and Beginners of the Disturbances in every State; imposing upon the Credulity of the Laity, for no other End than the accomplishing their own selfish Designs, at the Expence of the Peace and Tranquillity of the Nation. Faithfully produced from the most eminent Authorities. Sincerely intended for allaying the Heats and Animosities of the People, and persuading all honest, well-meaning Men to compose their Party-Quarrels, and unite their Hearts and Affections for promoting the Publick Good, and Safety of their Queen and Country. By Way of a Letter to a new Member of Parliament. 1710.

Nec quenquam jam ferre potest Cæsare priorem,
Pompeiusve Parem. ——— LUCAN

This pretended Second Part is from an author of opinions very different from those of the original writer of "Faults on both Sides." The blame is in this latter Tract thrown exclusively upon the high-church clergy, as having kindled, by their intemperate zeal, those party dissensions which now divided the nation with so much animosity on either side. It is therefore to be considered as an answer to the preceding Tract.

Oxford, Dec. 5, 1710.

SIR,

SINCE my return home I have frequently recollected, with the greatest satisfaction, several passages of that learned and instructive conversation which I often had the honour of enjoying in your company, during my stay in London; more particularly, sir, the discourse we had concerning the present posture of affairs both in church and state, and the mischievous consequences which are likely to attend the nation, by that great height and violence to which all parties are now fomented, if some methods are not speedily thought of by your honourable house, for the composing of these differences, by looking into the very source from whence they arose, and administering, with the strictest justice, upon the guilty of all parties, the due reward of their deeds.

'Tis matter of the most surprising admiration, to see men carried away into such party-prejudices by the bulk and gross as you very well observed, without so much as the least enquiry into the real faults on both sides, or making a true judgement, by avoiding the extremes of all parties, and comparing matters of fact, which is undoubtedly the only way of representing all popular objects in a clear light; but instead of this, the leaders of each clan run themselves aground with a precipitated kind of madness and inveterate hatred of each other's person, upon the bare account of entertaining some different opinions; which, in short, is such a monstrous piece of ridicule, that we may with the same equality of justice quarrel one with another about the variety of our complexions, or any other natural infirmity.

I shall now, sir, since you have often requested it of me, shew the folly of this in-

equitable way of procedure, by tracing the faults of the clergy of both sides, during the same space of time in which the political faults have been surveyed; and since religion is the subject of our present contention, I hope my design will meet with a candid approbation among all parties, when I sincerely declare that I have no other prospects in view but what are intended for the allaying our heats and animosities, and persuading all honest, well-meaning men to compose their party-quarrels, and unite their hearts and affections for promoting the publick good, and safety of our most gracious queen and country.

In prosecution of my design, I shall first give you (in the words of the learned and judicious M. Bayle¹) an account of the behaviour of a turbulent bishop, even in the most early days of Christianity, what sentiments were at that time entertained of him, and the dreadful consequences that attended his rash and inconsiderate zeal.

“Abdas, a bishop in Persia, in the time of Theodosius, junior, was, through his inconsiderate zeal, the cause of a very terrible persecution which was raised against the Christians, who enjoyed a full liberty of conscience in Persia, when this bishop took upon him to pull down one of the temples where the Persians worshipped the fire. ²The

¹ Vide M. Bayle's Dict. artic. of Abdas, vol. I.—*Orig. Note.*

² *The Magi made their Complaints to the King.*] It was Isdegerdes, if we rely upon Theodoret; but according to Socrates, the persecution began only under Varanes, son and successor of Isdegerdes. Baronius dares not determine which of the two is the right. The magi may be properly called priests, for it was their business to take care of holy matters, and to prevent all manner of innovation in religion. Theodoret compares them to a whirlwind, which raises the waves of the sea; such was their function in the storm that tossed so violently the church of Persia for the space of thirty years. Socrates tells us, that they made use of several impostures to put a stop to the progress of the Christian religion, when they saw that the late Isdegerdes had conceived for the holy Bishop Maruthas, gave them reason to fear, that he would forsake their religion, they were so bold as to hide a man underground, in the temple where the king used to worship the fire; and they ordered him to cry out, when the king should come in, That prince ought to be dethroned, who has been so impious as to believe that a Christian priest is a friend of God.

If what is most falsely said by impious men were true, *viz.* That religion is a mere human invention, set up by the sovereigns to keep subjects within the bounds of obedience, how could it be denied, that princes are the first who have been taken in their own snares? For religion is so far from making them masters of their subjects, that on the contrary it submits them to their subjects; inasmuch as they are obliged to profess the religion of their people, and not that which seems to them to be the best; but if they are resolved to profess a religion different from that of their subjects, they run the hazard of losing their crown. We see how the Persian magi threatened their king, though he had only caressed one bishop. It has been said, that the last king of Siam was dethroned for having too much favoured the Christian missionaries. The same Socrates who mentions the artifices made use of by the magi, to put a stop to the propagation of the gospel, tells us likewise, that after the death of Isdegerdes, they inspired his son with such a spirit of persecution, that a horrid cruelty was exercised against the Christians. They had endeavoured, but in vain, to inspire his father with the same spirit, for he was like to embrace the gospel; though Socrates is to blame for not owning sincerely, that the rash action of Bishop Abdas afforded the magi a very plausible pretence. All the church historians are not guilty of the unsincerity for which I blame Socrates; for Theodosius does ingenuously confess, that the bishop, who pulled down a temple, occasioned the dreadful persecution of the Christians in Persia. He does not deny but that the zeal of that bishop was unseasonable; but he maintains, that his refusing to rebuild such a temple is worthy of admiration, and deserves a crown; for methinks, says he, it is as great an impiety to build a temple to the fire, as to worship it.

For my own part, I am of opinion, that no private men, whether they be metropolitans, or patriarchs, can at any time be dispensed from this law of natural religion. The damage that has been done to one's neighbour ought to be made up by restitution, or some other way. Now Abdas, a mere private man, and a subject of the Persian king, destroyed what did belong to others, and was so much the more privileged, because it belonged to the prevailing religion; he was therefore indispensably obliged to obey the orders of his sovereign, by restoring what he had destroyed, and it was no good excuse to say, that the temple which he was ordered to rebuild was designed for the use of idolaters; for he was not to put it to that use, and he could not be answerable for the abuse of those whom it did belong to. Would it be a good reason for robbing a man, to say he spends his money extravagantly? Let him do so, you are not answerable to God for the follies he commits, let him enjoy what is his own, what right have you to it? Besides, could there be any comparison between the destruction of a temple, without which the Persians would have remained as great idolaters as they were before, and occasioning the destruction of many Christian churches? Abdas should therefore have prevented this last evil by the first, since the prince put it to his choice. Lastly, can any thing render the Christian religion more odious to all the nations of the world, than to see, that after they have insinuated themselves, as only desiring the liberty of

magi made their complaints to the king, who sent for Abdas, and after a mild censure ordered him to rebuild that temple. Abdas refused to do it, though the prince declared to him, that in case of disobedience, he would cause all the Christian churches to be pulled down; which he did, and all the faithful were delivered up to the mercy of the priests, who, being vexed at the toleration that had been granted, fell upon them with great fury. Abdas was the first martyr who lost his life on this occasion, if we may so call a man, who by his rashness exposed the church to so many misfortunes. The Christians, who had already forgot one of the most essential parts of Christian patience, had recourse to a remedy which occasioned another deluge of blood; they implored the assistance of Theodosius, which kindled a long war between the Romans and Persians. It is true, that the latter were worsted; but was there any certainty that they should not overcome the Romans, and that being flushed with victory, instead of persecuting only the Christians in Persia, they would not exercise a general persecution in all the other churches? The fury of the persecutors could scarce be satisfied in the space of thirty years." Thus we see what mischiefs the inconsiderate zeal of a private man may occasion.

Thus, sir, have I faithfully laid before you the article M. Bayle gives us of Abdas, together with his own remarks, and am not insensible that though I have chosen this example of an inconsiderate and rash zeal to introduce my present design, that upon first sight our clergy will fall foul upon me for so doing, because they reckon M. Bayle an enemy to all revealed religion, which will be a demonstration of that vice I am endeavouring to correct in them. 'Tis not my business here to enquire into M. Bayle's principles, but supposing him to be such a person as they would represent him to the world, yet must nothing that he says be regarded? This is indeed the true and fatal cause of all our former and present uneasinesses, in being carried away wholly by prejudice, and not allowing the least time for recollection.

I shall now prosecute my intended design without making the least reflection, leaving matter of fact to speak for itself; the instance of Abdas already recited is sufficient to shew the dismal effects brought about by an inconsiderate zeal in the early days of Christianity, and it being needless to look any further into remote parts, I will now confine myself to English examples, and refer to the authors themselves, for the proof of what I assert.

The first instance I shall produce, is the behaviour of the clergy in King Henry II.'s time, thus delivered by that learned and impartial historian Sir Bulstrode Whitlocke:—"In the sixth year of his reign, King Henry looks to the prerogatives of his crown, infringed by the clergy, whose power he had found too great in the business between his mother and King Stephen; and he doubted how they might deal with his posterity. The lay nobility laid more weights, informing the king, That the clergy hindered the execution of justice, held their dominion apart; and, being exempt from

teaching their doctrine, they are so bold as to destroy the temples consecrated to the religion of the country, and refuse to rebuild them when the sovereign commands it? Is it not to give occasion to say, these men desire at first a mere toleration, but in a little time they will pretend to share with us all employments and places of trust, and then become our masters: At first they think themselves very happy if they are not burnt, afterwards very unhappy if they have fewer privileges than those who are of the established religion; and then again miserable, if they are not the only prevailing party. During a certain time they are like Cæsar, who would have no master; and then they are like Pompey, who would have no partner.

The persecutors of the French protestants did maliciously inspire Charles IX. with such a thought. It is said, that the prince made use of these words, speaking to the Admiral Coligni,—“Such are the unavoidable inconveniences which they expose themselves to, who maintain so warmly, that the power of the secular arm ought to be made use of for the establishment of orthodoxy.” Such were the principles of Abdas; for what would he not have done with force of arms against the idolaters under a Christian emperor, since under a heathen prince, who tolerated the Christian religion, he pulled down a temple for which the heathens had a very particular veneration?

¹ Whitlocke's Memorials, fol. p. 47, et seq. lately published by W. Penn, anno 1709.—*Orig. Notes.*

secular punishments, committed many enormous acts, and no redress to be had. That since his reign, about 100 manslaughters had been committed by men in orders.

“ The seventh year, the king had preferred Thomas Becket, a creature and servant of his, to be Archbishop of Canterbury ; whom he expected ready to advance all his affairs, made him chancellor, and gave him the education of the prince. The clergy had got their jurisdiction much enlarged and strengthened. The king calls a parliament, and propoundeth, That such of the clergy as should be convicted of any heinous offence should lose the privilege of the church, and be punished by the civil magistrate as other subjects were.

“ The ninth year, Becket and the other bishops and clergy opposed this, being against the liberties of the church. The king demanded, if they would submit to the laws and customs which the bishops in the time of Henry I. did observe, *i. e.* ‘ To acknowledge the king as supreme judge in ecclesiastical affairs, granting him the power of redressing all grievances complained of by the laity,’ &c. They answered they would ; their order, the honour of God, and holy church, in all things saved. The king, displeased with this reservation, breaks up the parliament, denies Becket access to him, takes from him what he could, and countenances those who opposed him.

The pope and cardinals writ to Becket to reconcile this jar, and to make peace with his lord the king, and to promise to observe his laws without exception ; which Becket did promise to the king, who thereupon calls a parliament at Clarendon, where they were charged to reduce the laws of Henry I. the king’s grandfather, into writing ; which being done, the king willed the archbishop and bishops to set to them their seals, which the rest were content to do, but Becket refused it. At length the rest persuaded him, and intimated danger, by the king’s servants rushing up and down with threatening countenances : Whereupon Becket took his oath to observe the king’s laws without any reservation. Then taking the writing into his hand, he said to the clergy, ‘ Brethren, stand fast, you see the malice of the king, and that we are bound to beware :’ And so the council ended, but not the king’s displeasure ; whom only he found to bear up against him, who had so much favoured him.

“ He therefore proceeds to disgrace him, and to advance the Archbishop of York above him, writes to the pope to make him legate ; but he refused, and sent his legation to the king, so as he should do nothing to grieve Becket. But the king, in indignation, sent back the pope’s grant, as an indignity to him.

“ Becket repents of his oath at Clarendon, suspends himself, and doth penance till the pope sent him an absolution : Then he endeavours to go to Rome without the king’s leave, contrary to the law made at Clarendon (but by contrary winds brought back) which more exasperated the king. Then he is summoned to a parliament at Northampton : Suits in law go against him, he is called to account for the king’s monies, and pleads his acquittance for all receipts. The king urged to have judgment against him, and he is summoned to appear.

“ In the morning of his appearance, he saith the mass of Stephen the proto-martyr, and comes to court in his *pontificalibus*, carrying the cross ; for which he was blamed by the other bishops, who offered to pull it out of his hand, but he held it fast.

“ The Archbishop of York, his ancient adversary, rebukes him sharply for coming thus as to a tyrant or heathen prince ; and told him ‘ the king had a sword sharper than his cross.’ Becket replied, ‘ The king’s sword wounds carnally, but mine strikes spiritually, and sends the soul to hell.’

“ Becket inveighs at the proceedings against the spiritual father of the king, and of all his subjects, especially by the sons of the church ; and he appeals to the pope. The parliament cried he was a traitor, that having received so many benefits from the king,

he refused to do him earthly honour, and to obey his laws which he had sworn to: And the bishops renounced their ecclesiastical obedience to him, cited him to Rome, and condemned him as a perjured man and a traitor. Being charged to answer, he refused to stand to the judgment of the king, or any other person; saying, 'They were bound to obey God and him, rather than any earthly creature.' Then he departed, and, disguising himself, got into Flanders, and so to France.

"Presently King Henry sends to the King of France not to countenance Becket, a rebel against his king; yet the King of France sends to the pope in Becket's behalf.

"King Henry sends divers bishops and lords commissioners to the pope, to inform him of Becket's cause; which they did, and of his crime and peevishness, very fully: But they not being able to prevail with the pope, came away in discontent. Then Becket brought to the pope the laws made at Clarendon; which being read before him, the cardinals, and the rest of the clergy, they condemned them, and all that obeyed or favoured them, being smart against the church privileges.

"King Henry ordains, that if any bring letters of interdiction from the pope he shall forthwith be executed as a traitor; that no clergyman shall pass over sea without license; forbids appeals to Rome, and Peter-pence; banisheth all Becket's kindred, and adheres to the anti-pope; this exasperates Pope Alexander, who writes to the clergy of England to oppose the king; excommunicates his special ministers who adhered to the German faction, Alexander's enemies, and those who had entered upon the goods of the church of Canterbury.

"Becket having now been a considerable time abroad, the fourteenth year the pope writes to some bishops, to admonish the king to desist from intruding upon the liberties of the church, and to restore Archbishop Becket.

"The bishops write a long answer to the pope, giving him an account of the king's answer to their message, and the reasons of his proceedings.

"The king of France mediates with King Henry, when in Normandy, to be reconciled to Becket: King Henry, to please his brother of France, made an end of the difference with the clergy. And the King of France, with King Henry and Becket, meet: He at the king's feet saith, 'he will refer all to his royal order, God's honour only reserved.'

"King Henry in choler said, "Whosoever displeaseth this man, he would have it to be against God's honour: But that you may see I will not resist God's honour and him, look what the greatest and most holy of all his predecessors have done to the meanest of mine: Let him do the same to me, and it shall suffice."

"Becket replied peremptorily: So that the King of France, and all with him, were satisfied of the king's proceedings, and of Becket's forwardness; yet at length they were reconciled: And afterwards the king wrote a letter to his son, the young King Henry, commanding him to restore Becket to his see.

"Becket returning to England, suspended the Archbishop of York for crowning the young king without his leave within his province, and against the pope's command: He had letters also to suspend other bishops that officiated at the coronation.

"The bishops resort to the king in Normandy, acquaint him with Becket's proceedings, and that he was grown so imperious that there was no living under him; where-with the king was so much moved, that he is said to utter these words, "In what a miserable state am I, that cannot be quiet in my own kingdom for one only priest! Is there no man that will rid me of this trouble?" At which words, some report, four knights, guessing at the king's mind, went into England to the archbishop; others say they were sent to him from the king to take off the suspension from the bishops, and to wish him to take his oath of fealty to the young king.

"These four knights came to the archbishop, and finding him peremptory, and not regarding their master the king, they entered in their armour into the church, whither

Becket was withdrawn, and the monks at divine service: There they reviled the archbishop, called him traitor, and gave him many wounds, and struck out his brains, that his blood besprinkled the altar.

"He died with much courage, committing the cause of the church, with his soul, to God and the saints. The circumstances and hatred of the deed made compassion and opinion to be on his side. The murderers durst not go back to the king, but within four years all of them died miserable fugitives.

"The King of France and the Earl of Blois inform the pope of this wicked fact, and excite him to unsheathe St Peter's sword, and take revenge for Becket's martyrdom.

"The Archbishop of Sens writes to the pope, 'That he was appointed over nations and kingdoms, to bind their kings in fetters, and their nobles with manacles of iron; that all power, both in heaven and earth, was given to his apostleship: Bids him look how the boar of the wood hath rooted up the vineyard of the Lord of Sabaoth;' and then rails bitterly against the king imbruing the *Sanctum Sanctorum* with blood, and tearing in pieces the vicegerents of Christ, &c. concluding with an exhortation, that he would arm all the ecclesiastical power for revenge.

"The king employed the ablest men he could chuse, to declare his innocence to the pope, and how grievously he took the matter; yet the pope denied audience to his ambassadors, and the cardinals refused conference with them: But they wrought so by apologies and remonstrances, and dealt so, as they kept off the highest censure, daily threatened and expected. They gravely urged the mischiefs that might follow in the church, if a king of so great a state and stomach should be driven to take desperate courses.

"The pope sent two legates into Normandy to interdict the king, but he appealed to the presence of the pope, and so disappointed them: And returning into England, he commanded that no brief carriers should be permitted to cross the seas, without giving security of good behaviour to the king and kingdom."

Thus have I faithfully given you the whole relation of what passed between this prince and archbishop, from his first rise to his deplorable fall; we proceed next to the behaviour of Archbishop Abbot in the convocation at the beginning of King James the First's reign.' This convocation goes under the name of Overall's Convocation; it is very probable that this convocation was called to clear some doubt that King James might have had about the lawfulness of the Hollanders throwing off the monarchy of Spain, and their withdrawing, for good and all, their allegiance to that crown: Which was the great matter then in agitation in most courts of Christendom.

It appears plainly by some of those canons, that high-flown notions of prerogative and absolute obedience, which became afterwards into fashion, were not much known at that time: At least the clergy were not of that opinion. It is true this was the first time that a king *de jure* and *de facto* was ever mentioned as a point of divinity, or a doctrine of the church, though it had been taken notice of before, and that but once, as a matter of law, in an act of parliament of Henry VII. But these canons did never receive the royal approbation, and therefore are in the same case as if they had never been.

King James thought these points too nice to be much touched upon, and was highly displeased with the members of that convocation, for meddling in matters which he thought were without their sphere. Thereupon he writ the following angry letter to the archbishop (then Dr Abbot) which I had the good fortune to light upon, viz.

"Good Dr Abbot,

"I cannot abstain from giving you my judgment of your proceedings in your Con-

¹ Welwood's Memoirs, 12, p. 31. et seq.—*Orig. Note.*

vocation, as you call it; and both as *Rex in Solio*, and *unus Gregis in Ecclesia*, I am doubly concerned. My title to the crown nobody calls in question, but they that neither love you nor me; and you guess whom I mean. All that you and your brethren have said of a king in possession (for that word, I tell you, is no worse than that you make use of in your canon) concerns not me at all; I am the next heir, and the crown is mine by all rights you can name, but that of conquest; and Mr Solicitor has sufficiently expressed my own thoughts concerning the nature of kingship in general, and concerning the nature of it, *ut in mea persona*: And I believe you were all of his opinion; at least none of you said ought contrary to it, at the time he spake to you from me: But you know all of you, as I think, that my reason of calling you together, was to give your judgments how far a Christian and a protestant king may concur to assist his neighbours to shake off their obedience to their once sovereign, upon the account of oppression, tyranny, or what else you like to name it. In the late queen's time this kingdom was very free in assisting the Hollanders both with arms and advice, and none of your coat ever told me that any scrupled about it in her reign. Upon my coming to England, you may know that it came from some of yourselves to raise scruples about this matter: And albeit I have told my mind concerning *Jus Regium in Subditos*, in May last, in the Star-Chamber, upon the occasion of Hales's pamphlet; yet I never took notice of these scruples till the affairs of Spain and Holland forced me to it. All my neighbours call on me to concur in the treaty between Holland and Spain; and the honour of the nation will not suffer the Hollanders to be abandoned, especially after so much money and men spent in their quarrel: Therefore I was of the mind to call my clergy together, to satisfy not so much me, as the world about us, of the justness of my owning the Hollanders at this time: This I needed not have done; and you have forced me to say, I wish I had not. You have dipped too deep in what all kings reserve among the *arcana imperii*, and whatever aversion you may profess against God's being the author of sin, you have stumbled upon the threshold of that opinion, in saying upon the matter, that even tyranny is God's authority, and should be revered as such. If the King of Spain should return to claim his old pontifical right to my kingdom, you leave me to seek for others to fight for it: For you tell us upon the matter before-hand, his authority is God's authority if he prevail.

"Mr Doctor, I have¹ no time to express myself farther in this thorny business. I shall give you my orders about it by Mr Solicitor; and until then meddle no more in it, for they are edge tools, or rather like that weapon, that is said to cut with the one edge and cure with the other. I commit you to God's protection, good Doctor Abbot, and rest

Your good friend,
JAMES R."

That² historian, who is now by our clergy almost reckoned canonical, gives the following character of Archbishop Abbot, who, though he made such a stir and bustle, was as unfitly qualified for what he undertook as it was possible for any person to be: And as the historian very justly observes, "he had sat too many years in the see of Canterbury, and had too great a jurisdiction over the church, though he was without any credit in the court from the death of King James, and had not much in many years before. He had been head or master of one of the poorest colleges in Oxford, and had learning sufficient for that province. He was a man of very morose manners, and a very sour aspect, which in that time was called gravity; and under the opinion of that virtue, and by the recommendation of the Earl of Dunbar, the king's first Scotch favourite, he was preferred by King James to the bishoprick of Coventry and Lichfield,

¹ This concluding paragraph is in the king's own hand.
part I. page 88. *Orig. Note.*

² Lord Clarendon's History, 8vo. vol. I.

and presently after to London (and from thence to Canterbury) before he had been parson, vicar, or curate of any parish church in England, or dean, or prebend of any cathedral church; and was in truth totally ignorant of the true constitution of the church of England, and the state and interest of the clergy, as sufficiently appeared throughout the whole course of his life."

Such were the qualifications of this *ignoramus* bishop, who was yet thought a very proper tool of a party, that through the necessities of impaired fortunes had given demonstrations sufficient of their endowments being upon an equality with the archbishop's, and from the acquirements of noise and nonsense, joined to a sordid self-interest (though with the old text ready in their mouths of liberty, property, and the welfare of the nation lying next their heart) these new governors must break through all to get into the state-saddle, in which how long they would sit, any man of a reasonable capacity might prognosticate from their awkward mounting; and indeed to such surprising turns may very well be applied that judicious invocation of the poet,

Protect us, mighty Providence,
What would these madmen have?
First they would bribe us without pence,
Deceive us without common sense,
And without power inslave.¹

Let us now survey the management of Archbishop Laud, his successor.

King Charles I. came to the crown under infinite disadvantages; and yet the nation might have hoped that their condition would be mended under a prince of so much virtue, as indeed he was, if the seeds of discontent, which were sown in his father's time had not every day taken deeper root, and acquired new growth, through the ill management of his ministers, rather than any wilful errors of his own.

Some of them drove so fast, that it was no wonder the wheels and chariot broke: And it was in great part to the indiscreet zeal of Bishop Laud, who had got the ascendant over his master's conscience and councils, that both the monarchy and hierarchy owed afterwards their fall.

To trace this matter a little higher, there arose in the preceding reign two opposite parties in the church, which became now more than ever exasperated against each other; the one headed by Abbot, the other by Laud; Abbot was a person of too easy a temper, being not well turned for a court, and either could not, or would not, stoop to the humour of the times: And now and then, by an unseasonable stiffness, gave occasion to his enemies to represent him as not well inclined to the prerogative, or too much addicted to a popular interest, and therefore not fit to be employed in matters of government.

On the other hand, as Bishop Laud was a man so much superior in learning that they are not to be named together, so much greater was his ambition and natural parts, for he nicely understood the art of pleasing a court; and finding no surer way to raise himself to the first dignities of the church, than by acting a quite contrary part to that of Bishop Abbot, he gave into every thing that seemed to favour the prerogative of the crown, or enforce an absolute obedience upon the subject.

The king's urgent necessities, and the backwardness to supply them, had forced him upon unwarrantable methods of raising money; and the readiness the Roman catholicks expressed to assist him in his wants, did beget in him at first a tenderness towards, and afterwards a trust and confidence in them; which was unhappily mistaken by his other subjects, as if he inclined to their religion.

Among other means of raising money, that of loan was fallen upon; which met with

¹ Quoted from a Satire on the last Ministry of Charles II. though probably erroneously.

great difficulties, and was generally taken to be illegal. One Sibthorp, an obscure parson, in a sermon preached at Northampton assizes, was for making his court by asserting not only the lawfulness of this way of imposing money by loan, but that it was the indispensable duty of the subject to comply with it. At the same time Dr Manwaring preached two sermons before the king at Whitehall, in which he advanced these doctrines, I. "That the king is not bound to observe the laws of the realm, concerning the subjects rights and liberties; but that his royal word and command, in imposing laws and taxes without consent of parliament, does oblige the subjects conscience upon pain of eternal damnation. II. That those who refused to pay this loan did offend against the law of God, and became guilty of impiety, disloyalty, and rebellion, and that the authority of parliament is not necessary for raising of aids and subsidies."

Abbot indeed was averse to these doctrines; and for an advantage against him, Sibthorp's sermon, dedicated to the king, was sent him by his majesty's order to license, which he refused, and sent back his reasons; which Laud answered, and licensed both Sibthorp's and Manwaring's sermons. Upon this, Abbot was confined and suspended from his function; the administration of which was committed to Laud, and some others of his recommendation. Some time after, Abbot dying in disgrace, Laud succeeded him in the see of Canterbury, while in the mean time things went on from bad to worse, and hastened to a crisis.

The two first parliaments King Charles had called, pressing him hard for redress of grievances, and pushing on the resentments begun in the preceding reign, he was prevailed with not only to dissolve them, but to leave the nation without parliaments for twelve years together; and this contrary to the advice of his best friends and counselors, who foresaw the ill consequences that might follow if an unlucky juncture of affairs should necessitate him to call one: Which soon fell out in the worst manner that could be, viz.

The Scots had long been soured by the incroachments they complained men made upon their rights and liberties, particularly as to the matter of church-government. Laud's zeal for a liturgical uniformity between the two nations proved the fatal torch that inflamed both kingdoms: Being the sooner kindled, because there had been so much fuel laid up for many years, that the least spark was sufficient to fire the pile.

Anno 1637, the Scots had not only in a tumultuous manner refused the liturgy composed and sent them by Laud, but assumed afterwards to themselves the liberty and power of holding a general assembly of their church, and therein to abolish episcopacy, and commit several other things judged to be inconsistent with the duty of subjects: Upon which they were declared rebels; and the king thought his honour concerned in reducing them to obedience by the sword.

Instead of venturing to call a parliament, to enable him to prosecute this design, he was necessitated to levy money another way. Great sums were raised by loan and benevolence, to which the Roman catholicks and the Laudean faction contributed most. Thus supplied, the king marched to the north with a gallant army; and the Scots came as far as the borders in a posture of defence, and, to prevent the extremity of what might happen, they presented his majesty with their humble supplication and remonstrance, setting forth their "inviolable fidelity to the crown; and that they desired nothing more but the peaceable enjoyment of their religion and liberties; and that all things might be settled by a free parliament and general assembly." At length, through the intercession of the moderate party about the king, and some of the highest rank in both kingdoms, his majesty was pleased to comply with the desires of the Scots, by a solemn pacification, signed in view of both armies near Berwick, in June 1638.

This treaty was but short-lived, and ill-observed on either side. The same men that counselled the king to the first, pushed him on to a second war against the Scots. Parliaments had now been for some years discontinued, and there appeared no great inclination in the king to call any more, if this emergency had not fallen out: But his

pressing necessities, and this new war, obliged him once more to try the affections of his people in a parliamentary way.

Accordingly a parliament met in April 1640, at the opening of which, the king acquainted them with the affronts he had received from the Scots, and demanded a supply to reduce them to their duty by force of arms. Both houses shewed a willingness to relieve the king's wants, and offered him a considerable supply; but with this condition, That their grievances might be first redressed, which were mightily increased since the last dissolution: Not only so, but the Scots had friends enough in the parliament to hinder any great matter that should be concealed against them; and the majority both of lords and commons were but little inclined to a war of Laud's kindling.

The king, thus disappointed, dissolved the parliament within the month of their sitting; and made what shifts he could to raise a new army against the Scots: And they being resolved not to be behind in their preparations, entered England with a numerous army, composed for the most part of veteran officers and troops, that had served in Germany, under Gustavus Adolphus, and, taking Berwick and Newcastle, pushed their way as far as Durham.

The king came in person to York, and found himself environed with perplexing difficulties on all hands; the nobility and gentry that attended him expressed on all occasions their dislike of the cause, and the war they were engaged in: The Scots stood firm to their ground, being flushed with success; and the king was followed from the south with petitions from London, several counties, and a considerable number of lords, desiring him to call a new parliament, as the only effectual means to quiet the minds of the people, and compose the present war without bloodshed.

The king, to extricate himself out of this labyrinth, summoned the great council of peers to meet at York, and concert proper measures for this juncture: They unanimously advised him to enter into a treaty with the Scots at Rippon, and summons a parliament to meet at Westminster; with both which advices the king complied, and immediately issued out writs for the meeting of a parliament in November 1640, and adjourned the Scots treaty to London.

No age ever produced greater men than the members of this parliament: They had abilities and inclinations sufficient to have rendered both the king and nation happy, if England had not been through a chain of concurring accidents ripened for destruction. At their first meeting a scene of grievances, under which the nation had long groaned, was laid open, and all topicks made use of to display them in the liveliest colours. The many cruelties and illegal practices of the Star-Chamber, and High Commission Court, that had alienated people's minds from the hierarchy, were now insisted on to throw down those two arbitrary tribunals, and with them, in some time after, the bishops out of the House of Peers, and episcopacy itself out of the church. It was not a few of either house, but indeed all the great patriots, that concurred at first to make enquiry into the grievances of this reign: Sir Edward Hyde, afterwards Earl of Clarendon, the Lord Digby, the Lord Falkland, the Lord Capel, Mr. Grimstone, who was chosen afterwards speaker of the House of Commons that brought in King Charles II. and was master of the rolls, Mr. Holes, since Lord Holes, all which suffered afterwards on the king's side; and in general most of those that took the king's part in the succeeding war were the men that appeared with the greatest zeal for the redress of grievances, and made the sharpest speeches upon these subjects. The intentions of the gentlemen were certainly noble and just, and tended to the equal advantage of king and people; but the fate of England urged on its own ruin step by step, till an open rupture between the king and parliament made the gap too wide ever to be closed again. Sir Thomas Wentworth, Earl of Strafford, and Archbishop Laud, had too great a share in the ministry to escape being censured; and they were

the first that felt the effects of a popular hatred. They, with Duke Hamilton, first advised the king to call this parliament; and all three fell by it, though not at the same time.

As a farther specimen of Laud's turbulent and inconsiderate rashness in sacrificing a whole nation to his boundless ambition, it will not be amiss to insert his advice to the king, when in conference with the Earl of Strafford and the Lord Cottington.

"Mr Secretary Vane's Notes about the Earl of Strafford's Advice to King Charles to bring over an Army from Ireland to subdue England."

The title of them was,

*No Danger of War with Scotland,
If offensive, not defensive.*

King. How can we undertake offensive war, if we have no more money?

Strafford. Borrow of the city a hundred thousand pounds: Go on vigorously to levy ship-money. Your majesty having tried the affection of your people, you are absolved and loose from all manner of government, and to do what power will admit. Your majesty having tried all ways, and being refused, shall be acquitted before God and man. And you have an army in Ireland that you may employ to reduce this kingdom to obedience; for I am confident the Scots cannot hold out five months.

Laud. You have tried all ways, and have always been denied: It is now lawful to take it by force.

Cottington. Levies abroad there may be made for defence of the kingdom. The lower house are weary of the king and church. All ways shall be just to raise money by, in this inevitable necessity, and are to be used, being lawful.

Laud. For an offensive, not a defensive war.

Strafford. The town is full of lords. Put the commission of array on foot, and if any of them stir, we will make them smart.

To such counsellors this unhappy prince owed all his misfortunes. I shall conclude this head with observing, that as Archbishop Laud was nothing inferior to the Earl of Strafford in parts, and much his superior in learning, so it is as hard to determine which of the two made a nobler defence at their trial. Laud's fate has been the same with that of most great men, to be represented to posterity in extremes; for we have nothing writ of him but what is either panegyrick or satire, rather than history.

That he was brought to his trial, and found guilty, during the heat of a civil war, and when all things were tending to confusion, was nothing strange: Nor was Serjeant Wild's introduction at the opening of his charge any thing but what might have been expected at such a time, when he told the lords, That it might be said of the great cause of the Archbishop of Canterbury, as it was in a like case, *Repertum est hodie no die facinus, quod nec poeta fingere, nec histrio sonare, nec minus imitari potuerit*; but it was indeed strange, and none of the least of this great man's misfortunes, that three years before he should be declared by the House of Commons a traitor *nemine contradicente*, at a time when there was not the least misunderstanding between the king and parliament, being within the first month after they sat down, and which was yet stranger, that nobody was more severe upon him than some of those that afterwards took the king's part against the parliament, and were at last the chief instruments of his son's restoration. Whoever reads Sir Harbottle Grimstone's speech upon voting his impeachment, or Pym's upon carrying it up to the lords, will be apt to think that scarce any age has produced a man whose actions and conduct have been more obnoxious to obloquy, or given greater occasion for it.

There was one thread that run through his whole accusation and upon which most of the articles of his impeachment turned; and that was his inclination to popery, and design to introduce that religion: Of which his immortal book against Fisher the Jesuit sufficiently acquits him. And yet not protestants only, but even Roman catholicks themselves, were led into this mistake; otherwise they would not have dared to offer one in his post a cardinal's cap, as ¹ he confesses they did twice. The introducing a great many pompous ceremonies into the church, the licensing some books that spoke favourably of the church of Rome, and refusing to license some others wrote against it, were the principal causes of his being thus misrepresented: And indeed his behaviour in these matters, as likewise in the Star-Chamber and High-Commission Court, can hardly be accounted for; and particularly his theatrical manner of consecrating Katherine Creed Church. I shall close all, agreeing with the ² historian, that notwithstanding all these faults, and in spite of malice, "He was a man of great parts, and very exemplary virtues, allayed and discredited by some unpopular natural infirmities; the greatest of which was (besides a hasty, sharp way of expressing himself) that he believed innocence of heart and integrity of manners was a guard strong enough to secure any man in his voyage through this world, in what company soever he travelled, and through what ways soever he was to pass: And sure never any man was better supplied with that provision. He was always maligned and persecuted by those who were of the Calvinian faction, and who, according to their usual maxim and practice, call every man they do not love papist; and, under this senseless appellation, they created many troubles and vexations. He was certainly at heart passionately concerned for the church: He had usually about him an uncourtly quickness, if not sharpness, and did not sufficiently value what men said or thought of him; by which means a more than ordinary prejudice and uncharitableness was always contracted against him."

Thus, sir, have I laid before you three considerable instances of the clergy's being the original cause of the disturbances in this nation, and I hope I shall escape free from the imputation of partiality, since I have been equally just to their virtues and their vices.

Without any reflection, let any man but soberly consider the behaviour of Thomas a Becket to King Henry, and though there were faults on both sides, yet I am certain Becket's unparalleled insolence will meet with no one's approbation.

And as to Archbishop Laud, I dare appeal to the most strenuous of his defenders, that I have done him strict justice. I must own, that I think we may properly compare the use of the clergy to the elements of fire and water, viz. "That they are good servants, but bad masters;" and the precedents of these two gentlemen are not very tempting for futurity to proceed upon, since both of them sacrificed their lives to the caprice of their ambition.

I shall now examine the conduct of that factious crew of wolves in sheep's cloathing, who, under a pretence of religion, destroyed that very authority by which it was supported; and, under disguise, thought they might escape the censure of being reckoned enemies to the church by siding with Bishop Abbot, whose misfortunes were drawn upon him, by not discerning their hypocrisy; and in King Charles the First's time, notwithstanding their continual clamour and outcry for the preservation of their religion, and serving of the Lord, they had no other designs in view but to usurp themselves into an establishment; and to whom may be justly applied that remark of the judicious Mr Bayle, "These men desired at first a mere toleration, but in a little time they pretended to share with us all employments and places of trust; at first they thought themselves very happy in the peaceable enjoyment of their lives and fortunes; afterwards, when they had got to some head, they were very unhappy if they had fewer privileges than the established church; and then again miserable, if they were not the

¹ Vide Bishop Laud's Diary.

² Clarendon's Hist. vol. I. p. 90, &c.—*Orig. Notes*.

prevailing party. During a certain time they were like Cæsar, who would have no master; and at last they copied Pompey's example, who would have no partner." To which degree they did at length arrive, and how they behaved themselves under their short-lived and tyrannical usurpation, shall be my next business to examine.

As a specimen of their Christian moderation and temper, I shall first produce a severe edict against toleration, and without any other reflection leave them to chew upon the cud of their own understanding, and soberly to weigh and determine if they can think themselves now misused, since I here make their own actions both judge and jury in the case.

A Letter of the Ministers of the City of London, presented the First of January, 1645, to the Reverend Assembly of Divines sitting at Westminster, by Authority of Parliament, against Toleration.

To our reverend, learned, and religious Brethren, the Prolocutor, and the Rest of the Divines assembled, now sitting at Westminster, by Authority of Parliament, these present.

Reverend and beloved Brethren,

WE are exceeding apprehensive of the desirableness of the church's peace, and of the pleasantness of brethren's unity, knowing that when peace is set upon its proper basis, viz. righteousness and truth, it is one of the best possessions, both delectable and profitable, like Aaron's ointment, and the dew of Hermon. It is true, by reason of different lights, and different sights among brethren, there may be dissenting in opinion; yet why should there be any separating from church communion? The church's coat may be of divers colours, yet why should there be any rent in it? Have we not a touchstone of truth, the good word of God? And when all things are examined by this word, then that which is best may be held fast; but first, they must be known, and then examined afterwards. If our dissenting brethren, after so many importunate entreaties, would have been persuaded (either in zeal to the truth, or in sincere love to the church's peace and unity among brethren, or in respect to their own reputation, by fair and ingenuous dealing, or in conscience to their promise made to the ministers of London, now five years since, or any such-like reasonable consideration) at last, to have given us a full narrative of their opinions and grounds of their separation, we are persuaded, they would not have stood at such a distance from us, as they now do: But they chose rather to walk by their own private lights, than to unbosom themselves to us, their most affectionate brethren, and to set themselves in an untrodden way of their own, rather than to wait what our covenanted reformation, according to the word of God, and examples of the best reformed churches, would bring forth. But the offence doth not end here; it is much that our brethren should separate from the church, but that they should endeavour to get a warrant to authorize their separation from it, and to have liberty (by drawing members out of it) to weaken and diminish it, till (so far as lies in them) they have brought it to nothing; this we think to be plainly unlawful; yet this, we understand, is their present design and endeavour. Wherefore (reverend brethren) having had such large experience of your zeal of God's glory, your care of his afflicted church, your earnest endeavours to promote the complete reformation of it, and of your ready concurrence with us in the improvement of any means that might be found conducive to this end, we are bold to hint unto you these our ensuing reasons against the toleration of independency in this church.

I. The desires and endeavours of a toleration for independency are, at this time, extremely unseasonable and preposterous; for,

. The reformation of religion is not yet perfected and settled among us, according to our covenant. And why may not the reformation be raised up, at last, to such purity and perfection, that truly tender consciences may receive abundant satisfaction, for aught that yet appears?

2. It is not yet known what the government of the independants is, neither would they ever yet vouchsafe to let the world know what they hold in that point, though some of their party have been too forward to challenge the London petitioners, as led with blind obedience, and pinning their souls upon the priest's sleeve, for desiring an establishment of the government of Christ, before there was any model of it extant.

3. We can hardly be persuaded that the independants themselves (after all the stirs they have made amongst us) are, as yet, fully resolved about their own way, wherewith they would be concluded, seeing they publish not their model, (though they are nimble enough in publishing other things) and profess reserves, and new lights, for which they will (no doubt) expect the like toleration, and so *in infinitum*. It were more seasonable to move for toleration, when once they are positively determined how far they mean to go, and where they mean to stay.

II. Their desires and endeavours are unreasonable and unequal in divers regards.

1. Partly, because no such toleration hath hitherto been established (as far as we know) in any Christian state, by the civil magistrate.

2. Partly, because some of them have solemnly professed, that they cannot suffer presbytery, and answerable hereunto is their practice, in those places where independancy prevails.

3. And, partly, because to grant to them, and not to other sectaries, who are free-born as well as they, and have done as good service as they to the publick (as they used to plead) will be counted injustice and great partiality; but to grant it unto all will scarce be cleared from great impiety.

III. Independancy is a schism, for,

1. Independants do depart from our churches, being true churches, and so acknowledged by themselves.

2. They draw and seduce our members from our congregations.

3. They erect separate congregations, under a separate and undiscovered government.

4. They refuse communion with our churches, in the sacraments.

5. Their ministers refuse to preach among us as officers.

6. Their members, if at any time they join with us, in hearing the word and prayer, yet they do it not as with the ministerial word and prayer, nor as acts of church communion.

Now we judge that no schism is to be tolerated in the church; ¹σχίσμα, 1 Cor. i. 10. 1 Cor. xii. 25. ²διχοστασίας, Rom. vi. 17. with 1 Cor. iii. 3. Gal. v. 20.

IV. Many mischiefs will inevitably follow upon this toleration, and that both to church and commonwealth.

First, to the church; as,

1. Causeless and unjust revolts from our ministry and congregations.

2. Our people's minds will be troubled, and in danger to be subverted, as Acts xv. 24.

¹ Schism.

² Divisions.—*Orig. Notes.*

3. Bitter heart-burnings among brethren will be fomented and perpetuated to posterity.

4. The godly, painful, and orthodox ministry, will be discouraged and despised.

5. The life and power of godliness will be eaten out by frivolous disputes and vain janglings.

6. The whole course of religion, in private families, will be interrupted and undermined.

7. Reciprocal duties, between persons of nearest and dearest relations, will be extremely violated.

8. The whole work of Reformation, especially in discipline and government, will be retarded, disturbed, and in danger of being made utterly frustrate and void, whilst every person shall have liberty, upon every trivial discontent at presbyterial government and churches, to revolt from us, and list themselves in separated congregations.

9. All other sects and heresies in the kingdom will be encouraged to endeavour the like toleration.

10. All other sects and heresies in the kingdom will safe-guard and shelter themselves under the wings of independancy; and some of the independants, in their books, have openly avowed, that they plead for liberty of conscience as well for others as themselves.

11. And the whole church of England, in short time, will be swallowed up with distraction and confusion: And, "God is not the author of confusion, but of peace." 1 Cor. xiv. 33.

Secondly, To the commonwealth. For,

1. All these mischiefs in the church will have their proportionable influence upon the commonwealth.

2. The kingdom will be wofully weakened by scandals and divisions, so that the enemies of it, both domestical and foreign, will be encouraged to plot and practise against it.

3. It is much to be doubted, lest the power of the magistrate should not only be weakened, but even utterly overthrown, considering the principles and practices of independants, together with their compliance with other sectaries, sufficiently known to be anti-magistratical.

V. Such a toleration is utterly repugnant and inconsistent with that solemn league and covenant, for reformation and defence of religion, which not only both houses of parliament, but also persons of all sorts in both kingdoms of England and Scotland, have subscribed, and with hands lifted up to the most high God, have sworn: Which covenant, likewise, both you and we, and those that most earnestly pursue the establishment of this toleration, have made (or should have made) in presence of Almighty God, the searcher of all hearts, with a true intention to perform the same, as we shall answer at that great day, when the secrets of all hearts shall be disclosed. For,

1. This is opposite to the reformation of religion, according to the word of God, and the example of the best reformed churches, *Article 1.*

2. It is destructive to the three kingdoms nearest conjunction and uniformity in religion and government, which might lead us and our posterity after us, as brethren, to live in faith and love, *Art. 1.*

3. It is plainly contrary to that extirpation of schism, and whatsoever shall be found contrary to sound doctrine, and the power of godliness, which we have sworn sincerely, really, and constantly to endeavour, without respect of persons, *Art. 2.*

4. Hereby we shall be involved in the guilt of other men's sins, and thereby be endangered to receive of their plagues, *Art. 2.*

5. It seems utterly impossible (if such toleration should be granted) that the Lord should be one, and his name one, in the three kingdoms, *Art. 2.*

6. This will palpably hinder the reformation of religion; inevitably divide one kingdom from another; and unhappily make factions and parties among the people, contrary to this league and covenant: Of which evil offices, whosoever shall be found guilty, are reputed, in the words of the covenant, incendiaries, malignants, or evil instruments, to be discovered, that they may be brought to publick trial, and receive condign punishment, *Art. 4. and 5.*

These are some of the many considerations, which make deep impression upon our spirits against that great Diana of independants, and all the sectaries, so much cried up by them, in these distracted times; viz. A toleration, a toleration. And, however, none should have more rejoiced than ourselves, in the establishment of a brotherly, peaceable, and Christian accommodation; yet, this being utterly rejected by them, we cannot dissemble, how, upon the fore-mentioned grounds, we detest and abhor the much-endavour'd toleration. Our bowels, our bowels are stirred within us; and we could even drown ourselves in tears, when we call to mind, how long and sharp a travail this kingdom had been in, for many years together, to bring forth that blessed fruit of a pure and perfect reformation: And now, at last, after all our pangs, dolours, and expectations, this real and thorough reformation is in danger of being strangled in the birth by a lawless toleration, that strives to be brought forth before it.

Wherefore (reverend and beloved brethren) we could not satisfy ourselves, till we had made some discovery of our thoughts unto you about this matter; not that we can harbour the least jealousy of your zeal, fidelity, or industry, in the opposing and extirpating of such a root of gall and bitterness as toleration is, and will be both in present and future ages, but that we may, what lies in us, endeavour mutually to strengthen one another's resolutions against the present growing evils; and that our consciences may not smite us another day for sinful silence, or sluggish deficiency in any point of duty tending to the glory of Christ, honour of the truth, peace of the church, perfection of reformation, performance of our covenant, and benefit of present and succeeding generations.

Subscribed by us,

From Sion-College,
London, Dec. 18,
1645.

Your affectionate Brethren and Fellow-labourers in the
Work of the Ministry, to whom Truth and Peace is
very precious.

The foregoing manifesto, sir, is a sufficient demonstration of the behaviour of those sectaries, who ever, when in power, put in practice the very reverse of what they before inculcated: And notwithstanding all their specious pretences are no other than as the vipers in our constitution; for which reason no eye can be too watchful, or law too strict, that shall be made against them, since it is much safer dealing with an open enemy than a hypocrite. Those few among them, whose consciences are truly scrupulous, ought in all reason to enjoy the benefit of her majesty's most gracious indulgence, but for the body of them, the church of England should guide themselves by this unerring maxim, That in having once treacherously undermined and subverted the established government of this kingdom, the blame justly lies against them; but if we permit them to play the same game over again, the sin is most certainly at our own door: And if it shall be thought proper in this session to deprive them of what they always had recourse to, some years past, as an asylum for whatever villainies they have transacted (by reviving the occasional bill) no arguments can be more fitly made use of than the foregoing ones, brought by themselves against the independants.

Thus does it plainly appear how prejudicial to the nation, as well as fatal to themselves, it has ever been, when the clergy have pretended to interfere in the political administration, that being a province into which they have not the least business to enquire; and nothing would be more highly resented by them, than if the parliament should undertake the management and regulation of their ecclesiastical canons and constitutions; but at the same time nothing is more reasonable than this would be, for if they will not keep within their own sphere, but be continually dictating to that great assembly what laws they shall make and what not, by the same rule they ought from thence to be limited what doctrines are most proper for them to preach.

As all mankind must agree that Archbishop Laud was the greatest divine in the age he lived, at the same time they must acknowledge him the worst politician; which error drew as many inconveniences upon the church, as Abbot's not being sufficiently qualified for so great a post as he filled; more especially in succeeding a person of Dr Bancroft's abilities, and whose death the¹ historian declares could never be enough lamented. "He understood the church excellently, and had almost rescued it out of the hands of the Calvinian party, and very much subdued the unruly spirit of nonconformists, countenanced men of the greatest parts in learning, and disposed the clergy to a more solid course of study, than they had been accustomed to; and, if he had lived, would have quickly extinguished all that fire in England which had been kindled at Geneva; and that infection would easily have been kept out, which could not afterwards be so easily expelled."

Such are the men who will be had in everlasting remembrance, and whose memories will ever smell sweet in the nostrils of posterity. And as an equal parallel to Archbishop Bancroft, I think I may safely name that perfect model of apostolical piety, the late learned and never-to-be-enough-lamented Bishop Beveridge, who to those souls committed to his charge was continually, with the most brotherly affection, preaching, rebuking, and exhorting them to attain that crown of glory laid up for the righteous. Herein consists the true office and authority of the priesthood; and the following of his example is what I most earnestly recommend to the whole body of our clergy, and that, laying aside all other disputes than what affect the fundamental principles and doctrines of the Christian religion, they should, in their pastoral care, be continually watching over and directing their flocks to "follow the Lamb whithersoever he goeth." Then with him shall they enter into the joy of their Lord, be made partakers of immortal glory, and shine as stars in the firmament!

These are the patterns highly worthy of imitation! who invite us to practise the great duties of brotherly love and charity, far superior to the treatment we now give one another, by stigmatizing ourselves with appellations equally as false as odious, and, as my Lord Clarendon has very justly observed in Archbishop Laud's character, that the Calvinian faction in his time made use of that senseless appellation, of traducing every well-meaning person with the name of papist, who expressed a more than ordinary zeal for the church of England; so equally heinous is it on our side, to asperse those who are called low-church-men as being directly in the presbyterian interest, when nothing is more certain than that they have not only the least tendency to, but on the contrary have the justest abhorrence of any such principles.

'Tis now time to hasten to a conclusion, which I shall do after having made a short application to Dr Francis Atterbury, who, I understand, is chosen prolocutor of the convocation. If that venerable assembly meets, I hope they will answer the ends of their institution, and do something in reality for the good of the church, by not only discountenancing all irreligious tenets, but punishing the authors of them: Which will be much more commendable than their former behaviour, in continually quarrelling one with another, the lower house asserting their power and privilege against the upper, and, by continual replies and defences on both sides, spun out a long useless con-

¹ Clarendon, vol. i. p. 88.—*Orig. Note.*

troversy, which, instead of being of the least service to religion, was wholly destructive of it; of this the Dean of Carlisle knows himself to have been but too guilty. It would, sir, be the greatest piece of service you could do, to persuade him to apply those extraordinary talents with which he is endowed to more solid studies than he has hitherto been accustomed; and to convince him, that turning examiner, and writing epigrams upon Flavia's fan, do not at all suit with the dignity of the sacerdotal function. As to the ungentle treatment Mr Hoadley has lately met with from him, by slander and calumny under an anonymous covert, I shall not take the least notice; Mr Hoadley being best able to defend himself; which indeed he has so well done, that I dare believe there never will be any reply; but if there should, Mr Dean may depend upon having all his siftings, windings, and evasions, fully laid open and represented in their true light.

To conclude, I will not enter into any detail of the doctrines of passive obedience and non-resistance. I am sorry to see our disputes run so high upon those points; it is most evident, that the assertors of an unlimited obedience are always forced to give ground; and that the patrons of resistance, by inculcating their doctrine with so great a vehemency, do a real mischief to the publick, by creating uneasinesses in the mind of the people: For, as a late¹ author has judiciously remarked, "The impression of self-preservation is so strong upon human nature, as not only to supersede all other provision, but to render it insignificant: 'Tis no case in the conduct of human life, that can be improved by any reasoning, what a man is to do when he is driven by a sword to the wall."

Upon the whole, since Dr Sacheverell and Mr Hoadley are the marks at which all our present controversies are levelled, I must freely declare my sentiments, that I think the one has railed scurrilously, and the other writ judiciously in defence of the church of England.

I shall close all with the excellent judgment of the² Archbishop of York in these matters (being entirely of his opinion) which plainly demonstrates that the clergy ought not to concern themselves with political affairs. As the laws of the land are the measures of our active obedience, so are also the same laws the measures of our submission; and as we are not bound to obey but where the laws and constitution require our obedience, so neither are we bound to submit but as the laws and constitution do require our submission. If a preacher in the pulpit should presume to give his judgement about the management of publick affairs, or to lay down doctrines as from Christ about the forms and models of kingdoms and commonwealths, or to adjust the limits of the prerogative of the prince, or of the liberties of the subject in our present government; I say, if a divine should meddle with such matters as these in his sermons, I do not know how he can be excused from the just censure of meddling with things that nothing concern him. This is indeed a practising in state matters, and is usurping an office that belongs to another profession, and to men of another character, and I should account it every whit as indecent in a clergyman to take upon him to deal in these points, as it would be for him to determine titles of land in the pulpit, which are in dispute in Westminster-Hall.

Now, sir, heartily wishing that what I have said may have the desired effect for which it was sincerely intended, by contributing in some measure towards the healing our present animosities, I subscribe myself

Your most obedient,

Humble servant, &c.

¹ The Vindication and Advancement of our National Constitution, &c. p. 19.

² Vide his 30th of Jan. Sermon before the Lords, anno 1700, p. 20.—Orig. Notes.



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